

Developing Capital Markets

AFRICA

Summary Information
AFRICA

| Country | Exchange | Average Daily Volume | Annual Volume | Contract Types |
|--------------|---------------------------------|-------------------------|----------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| South Africa | South African Futures Exchange. | 1997: 20,759 contracts. | 1997: 5,189,808 contracts. | Agricultural, individual equity index (options, futures, and options on futures), debt instruments (futures and options on futures for bonds and bankers acceptances), and agricultural commodities (futures and options on futures). |

South Africa

| GENERAL AND ECONOMIC DATA | | | |
|----------------------------------------------------------------------------------------|---------------------------------|------------|-------------|
| Macroeconomic Data | | | |
| 1997 GDP (US\$) | \$129,112,000,000 | | |
| 1997 GDP Percentage Increase (US\$) | 2.2% | | |
| 1997 GDP per capita (US\$) | \$2,989 (estimate) | | |
| 1997 Consumer Price Index Increase | 8.5% | | |
| 1997 Balance of Trade Surplus (Deficit) | \$1,900,000,000 ¹ | | |
| 1997 Total External Debt | \$39,200,000,000 | | |
| Total External Debt/GDP | 30.4% | | |
| Market Data | | | |
| 1997 Stock market capitalization (US\$) | \$211,093,000,000 (August 1998) | | |
| 1997 Stock market capitalization/GDP | N/a | | |
| 1997 Government Debt Market | \$68,900,000,000 | | |
| Yield to Maturity (%) of 1/5/10 year Government Debt Instruments as of 6/30/98 | <u>Tenor</u> ² | <u>YTM</u> | <u>Date</u> |
| | 1 year | 22.31 | 8/31/98 |
| | 5 years | 20.24 | 8/31/98 |
| | 10 years | 19.72 | 8/31/98 |
| Annualized Volatility (%) for 1/5/10 year Government Debt Instruments as of 6/30/98 | <u>Tenor</u> ³ | <u>YTM</u> | <u>Date</u> |
| | 1 year | 23.05 | 8/31/98 |
| | 5 years | 30.22 | 8/31/98 |
| | 10 years | 26.15 | 8/31/98 |
| Annualized Volatility (%) for a Broad Index of Equities | N/a | | |
| General Data | | | |
| Currency | Rand. | | |
| Is currency pegged to US dollar? If so, what is the currency floor? The cap? | No. | | |
| Actual Range of Exchange Rate from 6/30/97 to 6/30/98? | 4.5415 – 5.9653 | | |
| Sovereign Debt Rating | Baa3/BB+ | | |
| 1997 Population | 43,190,000 | | |

¹ This figure is the annual seasonally adjusted average for all four quarters of 1997.

² There are no government debt instruments to match these specific periods; it is based on interpolations of the YTM from the yield curve for these specific periods.

³ The annualized interest rate volatility is cited as of August 31, 1998 for these specific maturities for a thirty day period.

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| Major Sectors (Agriculture, Mining, Industry) | Manufacturing, wholesale and retail trade, catering and accommodation, finance, insurance, real estate and business services. |
|-----------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------|

| REGULATORY DATA | |
|-------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Regulatory Framework | |
| Principal derivatives law. | Financial Markets Control Act (FMCA) 55 of 1989. |
| Principal securities law. | Stock Exchanges Control Act (SECA) 1 of 1985. |
| Futures regulatory authority. | Financial Services Board (FSB). |
| Securities regulatory authority. | Financial Services Board. |
| Do self-regulatory organizations (SROs) supplement governmental regulation? How? | Yes. SROs are responsible for members' compliance with the Act and rules of the exchanges. |
| Regulation of Exchanges | |
| Must exchanges/contracts be authorized by the authorities prior to the start of trading? | Yes. |
| What trade and other information reporting/dissemination and recordkeeping requirements apply to exchanges? | Comprehensive requirements in the Acts and rules of the exchanges. |
| Do price limits and circuit breakers exist? If so, at what levels are they set? | Financial products: No. Agricultural futures and options: Yes. Two day limit for contracts of R30 per day. After this, expanded limits of 150% of the above, or R45 per day. |
| Are there special requirements for electronic trading systems? If so, please specify. | Yes. Various requirements in the rules of the exchanges. |
| Are exchanges audited by regulators? By others (specify)? | Yes, by the FSB and external auditors. |
| Regulation of Financial Service Providers | |
| Are there licensing/authorization requirements for brokers? For others (specify)? | Yes. Rules for brokers are set by the exchanges. Rules for investment managers are established elsewhere. |
| What reporting/recordkeeping requirements apply to market participants (traders/brokers)? | Required by the Acts and the rules of the exchanges. Transaction records and telephone recordings of trades must be kept for a specified period. |
| Are there sales practice/conduct of business standards for brokers? Others (specify)? | South African Futures Exchange (SAFEX): Yes, false or misleading advertising and account related communications are prohibited. Members may not suggest that trading on SAFEX is appropriate for all persons. Disclosure of proprietary trading is required. |

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| Are there minimum capital requirements for brokers? For others (specify)? | Yes. Others: Currently no requirements for investment managers. |
| Are brokers audited by regulators? By others (specify)? | Yes, set by the SROs (the exchanges). Brokers must appoint an auditor who must submit audited financial statements to the exchanges. |
| Are there segregation requirements for customer funds? If so, please describe. | Yes. Client funds and assets must be kept in separate trust accounts, segregated according to the terms of the SECA and FMCA. |
| Are there other customer compensation or “insurance” arrangements? If so, please describe. | Yes. Exchanges must maintain a guarantee fund, and must have adequate fidelity insurance. |
| Are there custody requirements for customer funds? If so, please describe. | Yes. Exchange members are required to maintain resident clients’ margin in separate trust accounts, and to maintain appropriate records. |
| Are there dispute resolution procedures? If so, please describe. | N/a |
| Access to Foreign Markets | |
| Must foreign markets be approved for use by domestic investors? If so, by whom? | Yes. Foreign markets must be recognized by the FSB. |
| Foreign Access to Markets | |
| Are there limits on foreign investments in derivatives? If so, please describe. | No. |
| Are there restrictions on repatriation of funds? If so, please describe. | No. |
| Is there a double taxation treaty? | Yes. |
| Are there special dispute resolution procedures for foreign market users? If so, please describe. | Yes. The same procedures used for residents apply. |
| Taxation | |
| How are gains on derivatives products taxed? | Gains on speculative trades are taxed as they are realized. Recognition of gains on hedging trades is deferred until the maturity/exercise of the hedge. |
| Insolvency | |
| What insolvency provisions apply to futures markets? | The same rules apply as those for other markets, including exchange rules. |

| Enforcement | |
|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|
| What authority is responsible for punishing violations of exchange rules, the law, or regulations governing derivatives? Fraud? | SAFEX is primarily responsible. However, the FSB also has powers to oversee exchanges and their members. |
| General | |
| Memberships in international organizations (e.g., IOSCO)? Please specify. | IOSCO, IMF, World Bank. |
| E-mail contact information. | FSB: < gordon@fsb.co.za >. |
| Web site address(es). | FSB: < www.fsb.co.za >. |

| EXCHANGE DATA | |
|------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Exchanges/Contracts Traded | |
| List derivatives exchanges. | South African Futures Exchange. |
| Who owns the exchange (members, government, other)? | Members. |
| For each exchange, list contract types traded. | Equities [*] and equity index (options, futures, and options on futures), debt instruments (futures and options on futures for bonds and bankers acceptances), and agricultural commodities (futures and options on futures). |
| Do you have a stock index? If so, please specify. | Yes (all shares, industrial, gold and banking & financial). |
| Do stock index futures exist? If so, please specify. | Yes. All-share index, all-gold index, industrial index, financial-industrial index. |
| What was the average daily volume in futures contract trading at year-end 1997? | 20,759. |
| What was the annual futures contract trading volume for 1997 (number of contracts/contracts' value)? | Contracts = 5,189,808. Value = R349,378,474. |
| What was the level of open interest in futures contracts at year-end 1997? | 171,441. |
| Please describe how you compute contract volume. | Number of contracts traded (buys = sells). |
| Trading Features | |
| Is trading conducted electronically or by open outcry? | Electronically. |
| Are prices disseminated in real-time? If so, how? | Yes, via a live Automated Trading System, which immediately matches trades and disseminates prices on the same system. |
| How frequently do you match trades? | Trades are automatically matched and reconciled when traded on the ATS system. |
| Is dual trading permitted? | Only under certain conditions. |
| What surveillance programs are used? | Electronic surveillance which generates exception reports. |
| Risk Management/Clearing | |
| Do exchanges have clearing house? | Yes. |
| Who owns the clearing house? Is the clearing house affiliated or separate? | The clearing house is wholly owned by the exchange, and is a separate legal entity. |

^{*} This exchange is one of a few with futures on individual equities.

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| What is the settlement time frame (<i>e.g.</i> , T+ <u> </u>)? | T+1 (by 10 AM the day following the trading date). |
| Is margin required? | Yes (by 10 AM the day following the trading date). |
| Who sets the margin levels? | Risk Management Committee of SAFEX (overseen by the FSB). |
| Is margin calculated on a gross or net basis? | Net. |
| How frequently are positions marked to market? How often are gains/losses settled? | Under normal circumstances, positions are marked-to-market on a daily basis, with intraday mark-to-market implemented if the markets are excessively volatile. Depending on the circumstances, settlement can be daily or intra-day. |
| What kind of financial backing exists for brokers/clearing members/clearing house in case of failure? | In addition to the Capital Adequacy Requirements, the exchange also has a substantial Guarantee Fund in place and Fidelity Cover. |
| How does the clearing house allocate losses in the event of a clearing member default? | In the event of a clearing member default, the clearing house opens a separate trust account into which all margin, proceeds from the sale of the clearing member's seat, proceeds from a suretyship pursuant to rule 4.2.9 of SAFEX, and any other moneys, securities or investments held by the clearing house on behalf of the clearing member are paid. The clearing house closes out all the clearing member's proprietary positions at the best obtainable price. If further obligations remain, the clearing member trustee is instructed to apply any margin, suretyships, cession, or any other money, investment, or security held by the clearing house to settle such obligations. If there is still a shortfall, the member's seat can be sold. In the event that there remains insufficient funds in the account, the clearing house may call on all clearing members for an equitable contribution after claiming against any insurance the clearing house may have against the default of a clearing member. |
| Can customer positions be transferred in the event of default? | N/a |
| Are emergency rules in place? If so, please specify. | N/a |

| General | |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------|
| Are exchange rules available on the Internet? | Yes: < www.safex.co.za/rulebook/rulebook.asp >. |
| E-mail contact information. | SAFEX: < root@safex.co.za >. |
| Web site address(es). | SAFEX: < www.safex.co.za >. |

ASIA

Summary Information

ASIA

| Country | Exchange | Average Daily Volume | Annual Volume | Contract Types |
|-------------|------------------------------------------------------|-------------------------------------------------------------|------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| China | 14 Regional Exchanges. [‡] | 1997: 670,782 lots for all exchanges. | 1997: 163 million lots for all exchanges. | Wheat, green bean, red bean, peanuts, soybean, beer barley, soybean meal, copper, aluminum, rubber, rice, plywood. |
| India | National Stock Exchange of India Limited. | Not yet active. | Not yet active. | [Planned:] Stock index futures. |
| India | The Stock Exchange, Mumbai. | Not yet active. | Not yet active. | [Planned:] Stock index futures. |
| Malaysia | Kuala Lumpur Options and Financial Futures Exchange. | 1998: 3,135 contracts. | 1998: 771,244 contracts. | Equity linked derivatives. |
| Malaysia | Commodity and Monetary Exchange of Malaysia. | 1998: 1,956 CPO Futures lots; 101 KLIBOR Futures contracts. | 1998: 353,539 CPO Futures lots; 24,738 KLIBOR Futures contracts. | Commodities, fixed income, interest rate and currency derivatives. |
| South Korea | Korea Stock Exchange. | 1998: 61,279 contracts. | 1998: 17,893,592 contracts. | Stock price index futures, stock price index options. |
| South Korea | Korea Futures Exchange. | Started 1999. | Started 1999. | Currency futures, currency options, CD futures, gold futures. |
| Taiwan | Taiwan International Mercantile Exchange. | Started 1998. | Started 1998. | Taiwan Stock Exchange Capitalization Weighted Stock Index futures. |
| Thailand | Not applicable. | Not applicable. | Not applicable. | Not applicable. |

[‡] China Commodity Futures Exchanges Inc. of Hainan; Zhengzhou Commodity Exchange; Suzhou Commodity Exchange; Beijing Commodity Exchange; Dalian Commodity Exchange; Shanghai Commodity Exchange; Shanghai Metals Exchange; Tianjin United Futures Exchange; Guangdong United Futures Exchange; Shenzhen Mercantile Exchange; Shenyang Commodity Exchange; Chengdu United Futures Exchange; Shanghai Cereals & Oils Exchange; Chongqing Commodity. China is reducing the number of exchanges to three in 1999: Zhengzhou Commodity Exchange (ZCE); Dalian Commodity Exchange (DCE); Shanghai Futures Exchange (SFE).

China

| GENERAL AND ECONOMIC DATA | |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| Macroeconomic Data | |
| 1997 GDP (US\$) | \$903,102,844,375 |
| 1997 GDP Percentage Increase (US\$) | 10.1% |
| 1997 GDP per capita (US\$) | \$734 |
| 1997 Consumer Price Index Increase | 2.8% |
| 1997 Balance of Trade Surplus/Deficit | \$40,425,146,446 |
| 1997 Total External Debt | Not available. |
| Total External Debt/GDP | Not available |
| Market Data | |
| 1997 Stock market capitalization (US\$) | \$211,718,582,040 |
| 1997 Stock market capitalization/GDP | 23.4% |
| 1997 Government Debt Market | \$66,536,988,948 |
| Yield to Maturity (%) of 1/5/10 year Government Debt Instruments as of 6/30/98 | Not available. |
| Annualized Volatility (%) for 1/5/10 year Government Debt Instruments as of 6/30/98 | Not available. |
| Annualized Volatility (%) for a Broad Index of Equities | 72.5%. |
| General Data | |
| Currency | Renminbi [RMB] Yuan. |
| Is currency pegged to US dollar? | No. |
| If so, what is the currency floor? The cap? | |
| Actual Range of Exchange Rate from 6/30/97 to 6/30/98? | 8.2779 – 8.2920 |
| Sovereign Debt Rating | { A3/BBB+ } |
| 1997 Population | 1,211,210,000 |
| Major Sectors (Agriculture, Mining, Industry) | Agriculture, Iron and Steel, Mining, Textile, Machines, Home Appliances, <i>etc.</i> |

| REGULATORY DATA | |
|-------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Regulatory Framework | |
| Principal derivatives law. | Under consideration. |
| Principal securities law. | Under consideration. |
| Futures regulatory authority. | China Securities Regulatory Commission (CSRC). |
| Securities regulatory authority. | China Securities Regulatory Commission (CSRC). |
| Do self-regulatory organizations (SROs) supplement governmental regulation? How? | To date, there are no organizations in China comparable to the US-based FIA [*] or NFA, ^{**} but the exchanges are SROs. |
| Regulation of Exchanges | |
| Must exchanges/contracts be authorized by the authorities prior to the start of trading? | Yes. |
| What trade and other information reporting/dissemination and recordkeeping requirements apply to exchanges? | Futures exchanges must report daily trading volume, open interest, and other relevant information to the authorities. All trading records must be maintained for at least five years. |
| Do price limits and circuit breakers exist? If so, at what levels are they set? | Yes. The price limit is usually 3%. |
| Are there special requirements for electronic trading systems? If so, please specify. | No. |
| Are exchanges audited by regulators? By others (specify)? | Audits are performed by the Administration of Industry and Commerce (SAIC) once a year. The CSRC also performs audits. |
| Regulation of Financial Service Providers | |
| Are there licensing/authorization requirements for brokers? For others (specify)? | Yes. |
| What reporting/recordkeeping requirements apply to market participants (traders/brokers)? | The brokers must maintain all trading records for at least five years. |
| Are there sales practice/conduct of business standards for brokers? Others (specify)? | Yes. |
| Are there minimum capital requirements for brokers? For others (specify)? | Yes. |

^{*} The Futures Industry Association, a broker association.

^{**} The National Futures Association, a self-regulatory organization representing non-exchange members, with powers designated by the US Congress.

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| Are brokers audited by regulators? By others (specify)? | The brokers are audited by both the CSRC and SAIC once a year. |
| Are there segregation requirements for customer funds? If so, please describe. | Yes, the funds of customers and market participants must be strictly segregated. |
| Are there other customer compensation or “insurance” arrangements? If so, please describe. | No. |
| Are there custody requirements for customer funds? If so, please describe. | Yes. |
| Are there dispute resolution procedures? If so, please describe. | No. |
| Access to Foreign Markets | |
| Must foreign markets be approved for use by domestic investors? If so, by whom? | Yes, by the CSRC. |
| Foreign Access to Markets | |
| Are there limits on foreign investments in derivatives? If so, please describe. | Currently, foreign investors are <i>not</i> allowed to participate in China’s futures markets. |
| Are there restrictions on repatriation of funds? If so, please describe. | Yes. |
| Is there a double taxation treaty? | No. |
| Are there special dispute resolution procedures for foreign market users? If so, please describe. | No. |
| Taxation | |
| How are gains on derivatives products taxed? | Not applicable. |
| Insolvency | |
| What insolvency provisions apply to futures markets? | Insolvency is covered under the Corporate Insolvency Provision; there is no insolvency provision designed specially for the futures/options markets. |
| Enforcement | |
| What authority is responsible for punishing violations of exchange rules, the law, or regulations governing derivatives? Fraud? | The exchanges, the CSRC, and the courts. |
| General | |
| Memberships in international organizations (e.g., IOSCO)? Please specify. | IOSCO regular member. |
| E-mail contact information. | CSRC: < csrc@shell.cninfo.com.cn >. |
| Web site address(es). | CSRC: < www.csrc.gov.cn >. |

| EXCHANGE DATA | |
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| Exchanges/Contracts Traded | |
| List derivatives exchanges. | <p>China Commodity Futures Exchanges Inc. of Hainan (CFFE).</p> <p>Zhengzhou Commodity Exchange (ZCE).</p> <p>Suzhou Commodity Exchange (SuCE).</p> <p>Beijing Commodity Exchange (BCE).</p> <p>Dalian Commodity Exchange (DCE).</p> <p>Shanghai Commodity Exchange (SCE).</p> <p>Shanghai Metals Exchange (SME).</p> <p>Tianjin United Futures Exchange (TUFEX).</p> <p>Guangdong United Futures Exchange (GUFE).</p> <p>Shenzhen Mercantile Exchange (SzME).</p> <p>Shenyang Commodity Exchange (ShCE).</p> <p>Chengdu United Futures Exchange (CUFE).</p> <p>Shanghai Cereals & Oils Exchange (SCOEX).</p> <p>Chongqing Commodity Exchange (CCE).</p> <p>Note that only three futures exchanges will exist after 1999:</p> <ul style="list-style-type: none"> - Zhengzhou Commodity Exchange (ZCE); - Dalian Commodity Exchange (DCE); - Shanghai Futures Exchange (SFE). |
| Who owns the exchange (members, government, other)? | Members. |
| For each exchange, list contract types traded. | <p>ZCE: Wheat, Green Bean, Red Bean, Peanuts.</p> <p>DCE: Soybean, Beer Barley, Soybean Meal.</p> <p>SFE: Copper, Aluminum, Rubber, Rice, Plywood.</p> |
| Do you have a stock index? If so, please specify. | <p>Yes.</p> <p>Shenzhen Stock Exchange:</p> <ul style="list-style-type: none"> - Composite Index - Component Index - A-share Index - B-share Index <p>Shanghai Stock Exchange:</p> <ul style="list-style-type: none"> - Composite Index - 30 Index - A-share Index - B-share Index |

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| Do stock index futures exist? If so, please specify. | No. |
| What was the average daily volume in futures contract trading at year-end 1997? | 670,782 lots. |
| What was the annual futures contract trading volume for 1997 (number of contracts/contracts' value)? | 163 million lots/6100 billion RMB Yuan for all 14 exchanges. |
| What was the level of open interest in futures contracts at year-end 1997? | 1,363,630 lots. |
| Please describe how you compute contract volume. | On a bilateral basis. |
| Trading Features | |
| Is trading conducted electronically or by open outcry? | Electronically. |
| Are prices disseminated in real-time? If so, how? | Yes, electronically. |
| How frequently do you match trades? | Within five seconds. |
| Is dual trading permitted? | No. |
| What surveillance programs are used? | An electronic system. |
| Risk Management/Clearing | |
| Do exchanges have clearing house? | Yes. |
| Who owns the clearing house? Is the clearing house affiliated or separate? | Each exchange has a non-independent clearing house. |
| What is the settlement time frame (<i>e.g.</i> , T+)? | T+1. |
| Is margin required? | Yes. |
| Who sets the margin levels? | Each exchange and the CSRC sets margin levels. The minimum margin level is 5%. |
| Is margin calculated on a gross or net basis? | Gross. |
| How frequently are positions marked to market? How often are gains/losses settled? | Daily/Daily. |
| What kind of financial backing exists for brokers/clearing members/clearing house in case of failure? | Each futures exchange has a risk guaranty fund. |
| How does the clearing house allocate losses in the event of a clearing member default? | Losses due to default are allocated via "Common Guaranty Funds." |
| Can customer positions be transferred in the event of default? | Not applicable. |
| Are emergency rules in place? If so, please specify. | Yes. |

| General | |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Are exchange rules available on the Internet? | No. |
| E-mail contact information. | CSRC: < csrc@shell.cninfo.com.cn >. < waishi@public.bta.net.cn >. |
| Web site address(es). | ZCE: < www.czce.com.cn >. DCE: < www.dce.com.cn >. |

India*

| GENERAL AND ECONOMIC DATA | |
|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| Macroeconomic Data | |
| 1997 GDP (US\$) | \$276,100,000,000 |
| 1997 GDP Percentage Increase (US\$) | 5.03% |
| 1997 GDP per capita (US\$) | \$254.21 |
| 1997 Consumer Price Index Increase | 5.3% |
| 1997 Balance of Trade Surplus (Deficit) | (\$6,800,000,000) |
| 1997 Total External Debt | \$94,400,000,000 |
| Total External Debt/GDP | 26.4% |
| Market Data | |
| 1997 Stock market capitalization (US\$) | \$149,340,000,000 |
| 1997 Stock market capitalization/GDP | 56.22% |
| 1997 Government Debt Market | Internal Debt: \$101,500,000,000 Total Internal Liabilities: \$189,030,000,000 |
| Yield to Maturity (%) of 1/5/10 year Government Debt Instruments as of 6/30/98 | N/a |
| Annualized Volatility (%) for 1/5/10 year Government Debt Instruments as of 6/30/98 | N/a |
| Annualized Volatility (%) for a Broad Index of Equities | BSE Sensitive Index: 21.97% S&P CNX Nifty: 23.75% |
| General Data | |
| Currency | Rupee. |
| Is currency pegged to US dollar? If so, what is the currency floor? The cap? | No. |
| Actual Range of Exchange Rate from 6/30/97 to 6/30/98? | 35.79 – 40.36 |
| Sovereign Debt Rating | {Ba2}/BB+ |
| 1998 Population | 971,000,000 |
| Major Sectors (Agriculture, Mining, Industry) | Agriculture, mining and quarrying, manufacturing, electricity. |

* General and Economic figures are for the year ended 31 March 1998.

| REGULATORY DATA | |
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| Regulatory Framework | |
| Principal derivatives law. | The Securities Contracts (Regulation) Act, 1956 (SC(R)A), and the Securities Exchange Board of India (SEBI) Act, 1992, are the primary laws governing securities trading. |
| Principal securities law. | Derivatives contracts would be covered under the definition of “securities” under the SC(R)A. SC(R)A and rules framed thereunder, and the SEBI Act and associated rules, shall apply to derivatives trading. |
| Futures regulatory authority. | The SEBI is the regulatory body for securities-linked derivatives. The Reserve Bank of India (RBI), the central bank of the country, regulates all foreign exchange and interest rate transactions. The Forward Markets Commission is the regulatory authority for all forward trading in commodities. |
| Securities regulatory authority. | SEBI. |
| Do self-regulatory organizations (SROs) Supplement governmental regulation? How? | All stock exchanges function as SROs. Stock exchanges function through their rules and regulations, which are approved by SEBI. |
| Regulation of Exchanges | |
| Must exchanges/contracts be authorized by the authorities prior to the start of trading? | Yes. |
| What trade and other information reporting/dissemination and recordkeeping requirements apply to exchanges? | Information about trades, quantities and quotes should be disseminated by the exchange in real-time over at least two information vending networks that are accessible to investors in the country. Every stock exchange is required to maintain books and records as per the provisions of the SC(R)A. SEBI can call for any periodic report from an exchange. |
| Do price limits and circuit breakers exist? If so, at what levels are they set? | Futures trading has not yet commenced. For the cash market, SEBI has directed exchanges to put in place daily price limits of 8% for a stock. However, for stocks quoting below 20 Rupees, exchanges have been given the flexibility to fix the price limits as per their requirements. |
| Are there special requirements for electronic trading systems? If so, please specify. | For the futures market, SEBI has prescribed that trading should take place through an on- |

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| | line screen-based trading system, which has a disaster recovery site. The per-half-hour capacity of the computers and the network should be at least 4 to 5 times the anticipated peak load in any half-hour, or the actual peak load seen in any half-hour during the preceding six months. |
| Are exchanges audited by regulators? By others (specify)? | Yes. Exchanges are also audited by independent auditors for certification of their annual accounts. |
| Regulation of Financial Service Providers | |
| Are there licensing/authorization requirements for brokers? For others (specify)? | Under SEBI (Stock Brokers and Sub-Broker) Rules, 1992, no stock broker or sub-broker shall transact in securities unless he/she holds a certificate of registration granted by SEBI. For the futures market, similar registration from SEBI is required. |
| What reporting/recordkeeping requirements apply to market participants (traders/brokers)? | SEBI (Stock Brokers and Sub-Broker) Rules, 1992, specify the following books of accounts, records and documents to be maintained by stock brokers: <ul style="list-style-type: none"> i. Register of transactions; ii. Clients ledger; iii. General ledger; iv. Journals; v. Cash book; vi. Bank pass book; vii. Documents register, including particulars of shares and securities received and delivered; viii. Members contract book, including all contracts entered into with other members of the same exchange or counterfoils or duplicates of memos of confirmation issued to such other members; ix. Written consent of clients in respect of contracts entered into as principals; x. Margin deposit book; xi. Register of accounts of sub-brokers; xii. Agreement with sub-brokers specifying the scope of authority and responsibilities of the stock broker and such sub-broker. |

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| Are there sales practice/conduct of business standards for brokers? Others (specify)? | SEBI (Stock Brokers and Sub-Broker) Rules, 1992, also includes a Code of Conduct for Stock Brokers and Sub-Brokers. For derivatives brokers, detailed sales practice standards have been laid down, including Certification of Salespersons, Risk Disclosure Documents, Account Opening Procedures, <i>etc.</i> |
| Are there minimum capital requirements for brokers? For others (specify)? | <p>SEBI has prescribed basic minimum capital to be deposited with the stock exchange based on which exposure and turnover limits are determined for each broker. The requirements are as follows:</p> <ul style="list-style-type: none"> - Rupees 1,000,000 (approx. \$25,000) for 2 of the largest exchanges; - Rupees 700,000 (approx. \$17,500) for 2 other exchanges, - Rupees 400,000 (approx. \$10,000) for the remaining exchanges. <p>For the futures market, the net-worth for clearing members has been stipulated at Rupees 30,000,000 (approx. \$750,000), including an up-front deposit of cash/liquid assets of Rupees 5,000,000 (approx. \$125,000).</p> |
| Are brokers audited by regulators? By others (specify)? | For the futures market, SEBI has specified a requirement for annual inspection of all futures brokers by the derivatives exchange. SEBI conducts annual inspection of approximately 10% of the total number of brokers. |
| Are there segregation requirements for customer funds? If so, please describe. | SEBI has issued detailed instructions on regulation of transactions between clients and brokers which states that it is compulsory for all brokers to maintain separate bank accounts for clients and the broker's own house funds. It also details that client's money should be kept in a separate account and could be used only for the client's purpose. |
| Are there other customer compensation or "insurance" arrangements? If so, please describe. | Each exchange is required to set up an Investor Protection Fund. The Fund is used for the purpose of meeting claims of investors against defaulting member brokers. The Fund |

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| | receives regular contributions from the exchange as well as members' brokers. |
| Are there custody requirements for customer funds? If so, please describe. | SEBI has issued detailed instructions on the regulation of transactions between clients and brokers. It makes it mandatory for all brokers to maintain separate bank accounts for clients and the brokers' own house funds. No payment for transactions in which brokers take a position as a principal are allowed to be made from clients' accounts. The above principles and the circumstances under which the transfer from a client's account to a broker's account would be permitted are enumerated by SEBI in its instructions. |
| Are there dispute resolution procedures? If so, please describe. | Each exchange is mandated by SEBI to set up Arbitration Committees in the four major regions of the country for resolution of client complaints, as well as complaints between member brokers of the exchange. Broker representation on the Committee is restricted to not more than 40%, with the remaining 60% nominated to the Committee from persons other than members of the stock exchange (with prior approval of SEBI). |
| Access to Foreign Markets | |
| Must foreign markets be approved for use by domestic investors? If so, by whom? | Until recently, domestic investors were not permitted to use foreign markets. The Reserve Bank of India, in its credit and monetary policy of October 1997, announced that SEBI-registered Indian fund managers including mutual funds, would be permitted to invest in overseas market within an overall limit of \$500 million. |
| Foreign Access to Markets | |
| Are there limits on foreign investments in derivatives? If so, please describe. | No limit on foreign investment in derivatives is currently prescribed by SEBI. |
| Are there restrictions on repatriation of funds? If so, please describe. | Currently, there are no restrictions on repatriation of funds by Foreign Institutional Investors (FIIs). |
| Is there a double taxation treaty? | Yes, with various countries. |
| Are there special dispute resolution procedures for foreign market users? If so, please describe. | Dispute resolution procedures are one and the same for domestic as well as foreign investors. |

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| Taxation | |
| How are gains on derivatives products taxed? | Taxation of gains/losses on derivatives transactions is still being worked out. |
| Insolvency | |
| What insolvency provisions apply to futures markets? | The general bankruptcy laws prevalent in the country will also apply to futures market. |
| Enforcement | |
| What authority is responsible for punishing violations of exchange rules, the law, or regulations governing derivatives? Fraud? | The concerned SRO and SEBI. |
| General | |
| Memberships in international organizations (e.g., IOSCO)? Please specify. | IOSCO. |
| E-mail contact information. | SEBI: < lks@sebi.gov.in >. |
| Web site address(es). | SEBI: < www.sebi.com > or < www.sebi.gov.in >. Reserve Bank of India: < www.reservebank.com >. |

| EXCHANGE DATA | |
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| Exchanges/Contracts Traded | |
| List derivatives exchanges. | In late 1996, SEBI set up a committee to recommend an appropriate regulatory framework to introduce derivatives trading in India. The Committee recommended the phased introduction of derivatives beginning with Stock Index Futures. SEBI issued a circular inviting eligible exchanges to submit their applications for commencement of derivatives trading. Thus far, two exchanges, the National Stock Exchange of India Limited (NSE), and the Stock Exchange, Mumbai (BSE), have submitted applications, which are under consideration. |
| Who owns the exchange (members, government, other)? | NSE is owned by large Indian financial institutions including the Industrial Development Bank of India, Life Insurance Corporation, General Insurance Corporation, <i>etc.</i> BSE is a member owned exchange. |
| For each exchange, list contract types traded. | Currently, there is no trading in derivatives contracts. |
| Do you have a stock index? If so, please specify. | The 2 most popular stock indexes are: 1. NSE proposes to introduce index futures based on the S&P CNX Fifty Index (Nifty), a 50-stock index jointly owned by Standard & Poor, the Credit Rating and Information Service of India Ltd. (Crisil) and the NSE. 2. BSE proposes to introduce index futures based on the 30-stock BSE Sensitive Index (Sensex). Both stock indexes are market-capitalization weighted. |
| Do stock index futures exist? If so, please specify. | Currently, there is no trading in derivatives contracts. The Dr. L C Gupta Committee has recommended phased introduction of derivatives beginning with index futures, followed by index options and options on individual stocks. |
| What was the average daily volume in futures contract trading at year-end 1997? | Not applicable. |

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| What was the annual futures contract trading volume for 1997 (number of contracts/contracts' value)? | Not applicable. |
| What was the level of open interest in futures contracts at year-end 1997? | Not applicable. |
| Please describe how you compute contract volume. | Not applicable. |
| Trading Features | |
| Is trading conducted electronically or by open outcry? | Out of a total of 23 stock exchanges in India, 21 exchanges, representing 99.8% of total volume, conduct trading in securities through electronic on-line screen-based systems. Exchanges desirous of commencing derivatives trading are also required, as a precondition to trading, to have an electronic on-line screen-based trading system. |
| Are prices disseminated in real-time? If so, how? | Derivatives exchanges are required to disseminate price information through two country-wide on-line information/news services. This condition is in addition to the dissemination of price information on the trading terminals of brokers. |
| How frequently do you match trades? | Since trading is to take place through an on-line screen-based computer system, eligible trades will be matched instantaneously, based on a "Price-Time" priority algorithm. |
| Is dual trading permitted? | No. |
| What surveillance programs are used? | SEBI has prescribed that exchanges seeking approval for the commencement of derivatives trading exchange must have an on-line surveillance capability which monitors positions, prices and volumes in real-time, so as to deter market manipulation. The clearing corporation should also have the capability to monitor the overall position of brokers across both cash and derivatives markets. In the cash market, Stock Watch Phase I is being implemented. |
| Risk Management/Clearing | |
| Do exchanges have clearing house? | All existing stock exchanges operate clearing corporations/houses. SEBI has specified that the clearing of trades should be through a separate and independent entity. The clearing |

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| | corporation will become a legal counterparty to all trades and will be responsible for guaranteeing settlement for all open positions. |
| Who owns the clearing house? Is the clearing house affiliated or separate? | The NSE has set up a wholly owned independent company, the National Securities Clearing Corporation, Ltd., to act as the clearing corporation which guarantees settlement. BSE proposes to set up an independent clearing house for derivatives. |
| What is the settlement time frame (<i>e.g.</i> , T+ <u> </u>)? | All derivatives trades are required to be settled daily (<i>i.e.</i> , marked to market on a daily basis). Margins shall be debited from losing members and credited to profiting members before commencement of trading on the next day (<i>i.e.</i> , on a T+1 basis). |
| Is margin required? | Yes. |
| Who sets the margin levels? | SEBI has recommended that the level of initial margin required on a position should be related to the risk of loss on the position. The concept of “Value at Risk” is to be used in calculating required levels of initial margin. The initial margin should be large enough to cover the one-day loss that can be encountered on the position on 99% of the days. These capital adequacy norms should apply intra-day, so that there is no instant of time where the good funds deposited by the member to the clearing corporation are smaller than the VaR of the position at that point in time. The clearing corporation should have intra-day monitoring software to ensure that this condition is met at every single instant within the day. |
| Is margin calculated on a gross or net basis? | Margins in the derivatives market are calculated on a gross basis. |
| How frequently are positions marked to market? How often are gains/losses settled? | For the purpose of daily settlement, positions are marked to market at the close of the trading day. In case of extremely volatile conditions, marking to market can be performed on-line and intra-day margin calls may be made to brokers. |
| What kind of financial backing exists for brokers/clearing members/clearing house in case of failure? | The entire risk management system within the securities market is developed with a focus on the actual money deposited by brokers with |

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| | <p>the exchange. All exposure and turnover limits are based on the cash/liquid assets deposited by brokers with the exchange. The net worth of the broker is the second line of defense. In addition, the clearing corporation maintains real-time surveillance on the exposure of brokers to ensure they are within predetermined limits. All open positions are subject to initial margin requirements based on the Value at Risk for the futures contracts. In case of an unusual position built up by a broker, the clearing corporation may charge margins over and above their initial requirement, and may reduce exposure limits for the broker.</p> |
| How does the clearing house allocate losses in the event of a clearing member default? | <p>Exhaustive margin requirements have been established to reduce the impact of default by a broker. On-line surveillance systems monitor the total exposure of brokers and ensure that they are within the limits prescribed (based on the capital deposited with the exchange). Additionally, the cleared money deposited by brokers may also be used for the purposes of meeting claims against defaulting brokers. Finally, the Settlement Guarantee Fund of the clearing corporation acts as a counterparty, and stands as a guarantee for settlement of all open positions.</p> |
| Can customer positions be transferred in the event of default? | <p>SEBI has specified that in the event a member defaults in meeting its liabilities, the clearing corporation/house should possess the capability to promptly transfer client positions and assets to another solvent member, or to close-out all open positions.</p> |
| Are emergency rules in place? If so, please specify. | <p>Emergency rules during times of market stress are currently being worked on. SEBI has established an Inter-Market Coordination Group (IECG) and an Inter-Market Surveillance Group (ISG) in the cash market which decides on risk containment measures when volatility in the market starts increasing.</p> |

| General | |
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| Are exchange rules available on the Internet? | No. |
| E-mail contact information. | NSE: < webmaster@nse-india.com >. BSE: < webmaster@bseindia.com >. |
| Web site address(es). | NSE: < www.nseindia.com >. BSE: < www.bseindia.com >. |

Malaysia

| GENERAL AND ECONOMIC DATA | |
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| Macroeconomic Data | |
| 1998 GDP (US\$) | RM 131.3 Billion |
| 1998 GDP Percentage Increase (RM) | (6.7%) |
| 1998 GDP per capita (US\$) | \$3,018 |
| 1998 Consumer Price Index Increase | 5.3% |
| 1998 Balance of Trade Surplus (Deficit) | RM 58.44 Billion |
| 1998 Total External Debt | \$42,046,000,000 |
| Total External Debt/GNP | 62.8% (ringgit terms) |
| Market Data | |
| 1998 Stock market capitalization (US\$) | \$98,600,000,000 |
| 1998 Stock market capitalization/GDP | 134% (ringgit terms) |
| 1998 Government Debt Market | RM 110.531 billion |
| Yield to Maturity (%) of 1/5/10 year Government Debt Instruments as of 6/30/98 | [As of September 1998] 1-year: 7.1280 5-year: 7.3830 10-year: 7.6790 |
| Annualized Volatility (%) for 1/5/10 year Government Debt Instruments as of 6/30/98 | Not available. |
| Annualized Volatility (%) for a Broad Index of Equities | Not available. |
| General Data | |
| Currency | Ringgit. |
| Is currency pegged to US dollar? If so, what is the currency floor? The cap? | Following the changes to the Exchange Control Rules on 1 September 1998, Bank Negara Malaysia fixed the exchange rate for the USD/MYR at 3.8000 effective 2 September 1998. For retail transactions, the Ringgit exchange rate against the US dollar will not be more than 3.7700, 3.8300 for telegraphic transfers, and 3.7600 for overdrafts. There is no market intervention to maintain the fixed rate as transactions in Ringgit are centralized at Bank Negara Malaysia. |
| Actual Range of Exchange Rate from 6/30/97 to 6/30/98? | 2.4900 – 4.7125 |
| Sovereign Debt Rating | Baa3/BBB |
| 1997 Population | 22,200,000 |

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| Major Sectors (Agriculture, Mining, Industry) | Services, manufacturing, agriculture, mining and construction. |
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| REGULATORY DATA | |
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| Regulatory Framework | |
| Principal derivatives law. | Futures Industry Act 1993 (FIA) and Securities Commission Act 1993. |
| Principal securities law. | Securities Industry Act 1983; Securities Commission Act 1993; Securities Industry (Central Depository) Act 1991; Companies Act 1965. |
| Futures regulatory authority. | Minister of Finance and the Securities Commission (SC). |
| Securities regulatory authority. | Minister of Finance and the SC. |
| Do self-regulatory organizations (SROs) supplement governmental regulation? How? | <p>The scheme of regulation in Malaysia is one of co-regulation between the SC and the front-line SROs (the futures exchanges and the clearing house).</p> <p>The SC administers, among others, the Securities Commission Act 1993, and the Futures Industry Act 1993 (FIA), which together form the statutory foundation for the regulatory framework. The SC's role in regulation focuses on general policy formulation, licensing of intermediaries, product and market approval, and enforcement. The day-to-day supervision of markets is undertaken concurrently by the SC and the front-line SROs.</p> <p>The front-line SROs establish and administer rules of a contractual nature which govern the trading and settlement of the products offered on their markets, as well as other activities of exchange members and clearing members. The enforcement of these business rules is primarily the responsibility of the relevant front-line SRO, although the SC or a court may, in certain circumstances, direct compliance with, or compel enforcement of, the business rules.</p> |
| Regulation of Exchanges | |
| Must exchanges/contracts be authorized by the authorities prior to the start of trading? | <p>All futures exchanges are required under Section 4 of the FIA to be approved by the Minister of Finance before they can operate a futures market. They do not, however, need any authorization from the SC to start trading as long as they have been duly approved as a futures exchange.</p> <p>In relation to the contracts traded on the exchange, any introduction of a new contract is effected by way of amending the business rules of the relevant exchanges. Amendment to the business rules, in turn, is subject to approval by the SC.</p> |
| What trade and other information reporting/dissemination and recordkeeping requirements apply to exchanges? | The futures exchanges are required to submit weekly market reports, members' audit reports, and weekly surveillance reports to the SC. In addition, the exchanges are also required to report violations of the exchanges' business rules (and any action taken in |

| | <p>relation thereto) to the SC.</p> <p>In relation to recordkeeping, the exchanges are required under the Companies Act 1965 to keep accounting and other records that sufficiently explain the transactions and financial position of the company for a period of seven years.</p> | | | | | | | | |
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| <p>Do price limits and circuit breakers exist? If so, at what levels are they set?</p> | <p>In reference to the Kuala Lumpur Stock Exchange Composite Index (KLSE CI) futures contract traded on the Kuala Lumpur Options and Financial Futures Exchange (KLOFFE), the limits for the respective contract months in the first trading session of the day are set at $\pm 7.5\%$ of the previous business day's daily settlement price. In the second trading session of the day, the limits for the respective contract months are set at $\pm 7.5\%$ of the same day's first trading session's last-traded price.</p> <p>There are no price limits for the 3-month KLIBOR futures contract traded on the Commodity and Monetary Exchange of Malaysia (COMMEX).</p> <p>With regard to the COMMEX Crude Palm Oil futures contract, with the exception of trades in the current delivery month, trades for future delivery of Crude Palm Oil in any month shall not be made, during any one day, at prices varying more than RM100 per metric ton above or below the settlement price of the preceding business day. When the settlement prices for the first three quoted months (excluding the current month) at the closing for that day are at their limit, then the following expanded limit schedule shall apply to all quoted months (excluding the current month):</p> <table> <tr> <th><u>Day</u></th><th><u>Limit (RM)</u></th></tr> <tr> <td>First</td><td>100</td></tr> <tr> <td>Second</td><td>150</td></tr> <tr> <td>Third</td><td>200</td></tr> </table> <p>Daily price limits will remain at RM200.00 when the preceding day's prices of all three quoted months immediately following the current delivery month settle at limits of RM200.00.</p> <p>Notwithstanding the above limit schedule, should the settlement prices for the first three quoted months (excluding the current month) on any day not be at the full extent of the specified limit amounts, then the limit on the following day shall revert to the basic limit amount of RM100.00.</p> | <u>Day</u> | <u>Limit (RM)</u> | First | 100 | Second | 150 | Third | 200 |
| <u>Day</u> | <u>Limit (RM)</u> | | | | | | | | |
| First | 100 | | | | | | | | |
| Second | 150 | | | | | | | | |
| Third | 200 | | | | | | | | |
| <p>Are there special requirements for electronic trading systems? If so, please specify.</p> | <p>In reference to the futures exchanges, only KLOFFE operates on an electronic trading system. Prior to</p> | | | | | | | | |

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| | <p>recommending to the Minister for KLOFFE approval as a futures exchange, the Commission subjected the exchange to a system audit to ensure sufficient capacity and continuity. As a result, an independent external auditor was appointed to conduct the review, which included the following areas:</p> <ul style="list-style-type: none"> a) High availability issues to ensure no single point of failure – this includes server availability, data redundancy, network access, back-up procedures; b) Security of server, data, network access and audit trails; c) Issues relating to a Disaster Recovery plan; d) System performance and capacity, and basis for sizing; e) Capability for system expansion in the future, in terms of system, data access and network expandability; and f) The service level agreement between the system/back-office system provider and KLOFFE. <p>The audit also included manual procedures and controls. With regard to the functional requirements, the audit was confined to an extensive audit on the matching rule to ensure that it's criteria, logic and processing are fair, efficient and conform to the algorithm which KLOFFE has outlined in its business rules.</p> <p>As a condition to its approval, KLOFFE is required to conduct and complete an audit on its system and business operation on an annual basis. The audit is only undertaken by an external and independent auditor whose appointment must be approved by the Commission.</p> <p>In addition, the futures exchanges are required to have the necessary backup measures.</p> |
| Are exchanges audited by regulators? By others (specify)? | The exchanges are audited on an annual basis by external auditors appointed by the exchanges and approved by the Commission. The audit report is then submitted to the Commission. |
| Regulation of Financial Service Providers | |
| Are there licensing/authorization requirements for brokers? For others (specify)? | All futures brokers must not carry on futures broking business or hold themselves out as carrying on futures broking business unless they hold a futures broker license. In addition, all futures fund managers and futures trading advisors need to be licensed before carrying on or holding themselves out as carrying a futures fund management business or futures advice business. |

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| | <p>The licensing regime in the FIA requires all individuals who act on behalf of a futures broker, a futures fund manager, or a futures trading advisor, to be licensed as a futures broker's representative, a futures fund manager's representative or a futures trading advisor's representative, respectively.</p> <p>Locals need not be licensed, but have to register with the SC. An individual who performs a function that is ordinarily done by accountants, clerks or cashiers of futures brokers, futures fund managers and futures trading advisors, however, is not required to be licensed.</p> |
| What reporting/recordkeeping requirements apply to market participants (traders/brokers)? | <p>Members of the futures exchanges are required to submit to their respective exchanges a monthly financial report for the purposes of financial surveillance. They are also required to report details about their clients and declare reportable positions on behalf of the client to the exchange.</p> <p>Brokers are also under a duty to report any violations or suspected violations of the Business Rules or statutes governing the futures industry to the SC and the exchanges.</p> <p>Section 54 of the FIA requires futures brokers to maintain records relating to receiving instructions from their clients. All futures brokers must keep separately from other records such records which correctly record and explain trading in futures contracts by the broker on the broker's own account. These records must be kept for five years.</p> |
| Are there sales practice/conduct of business standards for brokers? Others (specify)? | <p>The FIA provides for certain obligations on all futures brokers. In particular, under Section 49, a broker is required to give a contract note for every transaction that it undertakes on behalf of a client within two business days of trade execution. This is to ensure that the client is made fully aware of contracts traded for them.</p> <p>The FIA also incorporates some equitable principles to ensure that brokers, on whom clients place reliance, conduct their business in a professional manner, and with integrity and responsibility. Section 50 of the FIA prohibits a broker from knowingly taking the other side of a client's order without first obtaining the consent of that client. Section 52B places a substantial legal duty on futures brokers when giving advice to clients. This provision, sometimes known as the "know your client and product" rule, requires a futures intermediary to have a reasonable basis for recommendations made to its clients.</p> |

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| | <p>Section 53 requires brokers to give their clients information that explains the risks associated with trading in futures contracts. This information includes a risk disclosure statement that is prescribed in Schedule 3 of the Futures Industry Regulations. In addition, the broker must give the client a copy of the proposed client agreement which contains the minimum terms that are prescribed in the business rules of the exchange.</p> <p>Section 54 of the FIA governs the sequence in which a broker is to send and carry out instructions of its clients, in which trades are to be allocated; that is, where an instruction is received ahead of other instructions, which instructions must be carried out (or sent, as the case may be) first. Equally, trades must be allocated in the sequence in which they were matched and in which the instructions effecting the trades were sent. Section 54 also requires that a broker give priority to a client's order ahead of its proposed own-account trades. It further provides that a futures broker has an obligation to maintain records in relation to receiving instructions from clients. The records must set out particulars relating to the receiving and carrying out of a client's instructions. The futures broker must also maintain records relating to its own-account trading.</p> |
| <p>Are there minimum capital requirements for brokers?</p> <p>For others (specify)?</p> | <p>There are no specific statutory provisions in the FIA in respect of capital requirements. However the front-line SROs prescribe the capital requirements of their members through their business rules. If a member of a futures exchange is also a clearing member, then it will have to comply with the financial requirements as imposed by the clearing house or its respective exchanges, whichever is higher.</p> <p>In reference to clearing members, pursuant to the business rules of the MDCH, they must have a minimum net tangible asset amount of RM3 million, minimum adjusted net capital of the higher of RM500,000, or 10% of total margin obligations. There is also a contribution requirement of RM1 million in cash or letters of credit to be made to the Clearing Fund. The clearing members are also required to lodge a security deposit of RM1 million in cash or letters of credit with MDCH.</p> <p>Non-clearing members will have to maintain the capital requirements as imposed by their respective exchanges, which would generally be lower than that imposed by the clearing house:</p> <ul style="list-style-type: none"> - COMMEX: broker members must have paid-up capital of RM4 million and net tangible assets of RM3 million as an entry requirement for membership. They must also maintain at all times |

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| | <p>minimum adjusted net capital similar to that required by the MDCH. Non-broker members must have paid-up capital of RM2 million as an entry requirement and maintain net tangible assets of RM1 million at all times. Adjusted net capital is not applicable to non-broker members.</p> <ul style="list-style-type: none"> - KLOFFE: non-clearing trading members are required to have minimum paid-up capital of RM5 million and such other requirements specified under the FIA. Local members must meet the capital requirements as set by the exchange. |
| Are brokers audited by regulators? By others (specify)? | The exchanges conduct routine audits on their members every year. In addition, KLOFFE reviews adequacy of the member firms' working capital through submission of monthly financial statements. Likewise, COMMEX requires the member firms to submit their audited accounts at the end of their financial years. It also requires members to file unaudited reports on a quarterly basis to ensure that they meet the minimum financial requirements of the exchange and the clearing house. |
| Are there segregation requirements for customer funds? If so, please describe. | The FIA requires all futures brokers to segregate funds or property that belong to a client from property of the broker. Futures brokers are required to initially place client funds received into a client's segregated account. The aim of segregation is to ease identification of client funds, facilitate the transfer of client positions by the clearing house in the event of insolvency of a broker, and to protect such funds from claims of creditors of an insolvent broker. A futures broker is also required to keep separate accounting records with respect to its segregated account, which separately record the deposits and withdrawals for each client. Again, separate records must be kept with respect to property in safe custody. Segregated money or property is not available to pay the general creditors of a broker on liquidation or bankruptcy. |
| Are there other customer compensation or "insurance" arrangements? If so, please describe. | <p>There is no insurance or self-insurance scheme for the futures industry.</p> <p>However, the futures exchanges are required to establish and maintain a fidelity fund. The purpose of the fund is to compensate clients who suffer monetary loss because of a defalcation or fraudulent misuse of funds by the brokers.</p> <p>Section 64 of the FIA requires that a futures broker contribute RM30,000 to the fidelity fund upon being licensed. For the next five years, they are required to contribute an additional RM10,000 per year. The said funds are non-returnable.</p> |

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| <p>Are there custody requirements for customer funds? If so, please describe.</p> | <p>All customer funds received by a futures broker must be placed in the client's segregated account.</p> <p>There are certain limited purposes for which a client's segregated funds may be used. Section 52A(3) provides that the broker shall not withdraw any of the money except for the purpose of:</p> <ul style="list-style-type: none"> (a) Making a payment to or in accordance with the written direction of a person entitled to the money; (b) Making a payment for, or in connection with, the entering into, margining, guaranteeing, securing, transferring, adjusting or settling of trading in futures contracts effected by the broker on behalf of the client; (c) Defraying brokerage and other proper charges incurred in respect of trading in futures contracts effected by the broker on behalf of the client; (d) Investing it – <ul style="list-style-type: none"> (i) On deposit at interest with a licensed bank; (ii) On deposit with a clearing house for an exchange company; or (iii) In any other prescribed manner; or (e) Making a payment that is otherwise authorized by law or by the business rules of an exchange company or clearing house of which the broker is an affiliate. <p>For the purposes of investing the money in the segregated account, a futures broker shall not invest by depositing it with a person for that person to invest unless the broker has told the person that the amount has been withdrawn from a client's segregated account and is money to which the clients of the broker are entitled, and has obtained from the person a written statement that is signed by the person, setting out the amount and acknowledging that the broker has informed the persons of that fact.</p> |
| <p>Are there dispute resolution procedures? If so, please describe.</p> | <p>In accordance with section 104 of the FIA, an action or other proceeding may not be brought in any court in respect of a dispute arising out of the business of trading in futures contracts –</p> <ul style="list-style-type: none"> a) Between futures brokers; b) Between an affiliate and an exchange company; c) Between an affiliate and a clearing house; or d) Between a futures broker and a client of that broker, <p>unless all the facilities for the settlement of the dispute as provided in the FIA or the regulations or the business rules of the relevant futures exchanges or clearing house, as the case may be, have been</p> |

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| | exhausted. All front-line SROs have in their business rules procedures for settlement of disputes, which vary between institutions. |
| Access to Foreign Markets | |
| Must foreign markets be approved for use by domestic investors? If so, by whom? | Malaysian citizens may invest directly in a foreign market through a foreign broker without any restrictions. A Malaysian futures broker, however, is prohibited from trading in futures contracts outside Malaysia unless the foreign futures exchange has been approved as a specified exchange by the Minister of Finance, and the futures contract is of an approved class. |
| Foreign Access to Markets | |
| Are there limits on foreign investments in derivatives? If so, please describe. | In so far as foreign investments in derivatives are concerned, as it currently stands, there are no limits imposed on them. However, they are still subject to position limits as prescribed by the respective futures exchanges. |
| Are there restrictions on repatriation of funds? If so, please describe. | <p>Repatriation of dividends, interest, rental, fees and commissions by foreign investors is permitted through authorized dealers in foreign currency (<i>i.e.</i>, the commercial banks in Malaysia), and may be made in any currency other than the currencies of Israel, Serbia or Montenegro. Residents are required to complete a statistical form for individual remittances which are above RM10,000 (ten thousand) or its equivalent in foreign currency.</p> <p>The repatriation of capital or the proceeds from the sale of ringgit assets in Malaysia by foreign investors is subject to a holding period of 12 months, before repatriation may take place. The 12-month period commences from 1 September 1998 for ringgit assets acquired prior to this date. If the ringgit assets are acquired after 1 September 1998, the 12-month period commences from the date the ringgit assets are acquired. During the 12-month period, the foreign investor is allowed to change the type or form of ringgit assets he chooses to invest in.</p> <p>However, in relation to the trading in derivatives on COMMEEX and KLOFFE, non-residents will be allowed to maintain designated external accounts solely for the purpose of trading in derivatives on these exchanges. These designated external accounts have to be funded from the sale of foreign currency. Holders of such designated external accounts are permitted to do the following:</p> <ul style="list-style-type: none"> - Transfer funds between designated external accounts belonging to the same account holder. |

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| | <ul style="list-style-type: none"> - Transfer funds to the clearing members of the Malaysian Derivatives Clearing House (MDCH) for purposes of trading on the exchanges. - Receive funds from clearing members of MDCH arising from trading on the exchanges. - Freely convert balances in such accounts into foreign currency. - “Good faith” money or collateral held in the margin accounts can be in ringgit or any major currency, and these balances can be held in any form approved by MDCH. <p>Existing external account holders (which are not designated accounts) may also trade on the above exchanges. However, the rules governing the sources and uses of funds in such external accounts would apply. In addition, no transfers can be made between a designated external account and a non-designated external account even though both accounts are held by the same account holder. Profits from trades done on the exchanges may be sold for foreign currency for repatriation abroad.</p> <p>On 4 February 1999, the Government announced a new policy, in the form of levy, with respect to the repatriation of portfolio capital which replaced the 12 month holding rule. Original capital brought in before 15 February 1999 will be allowed to be repatriated subject to a graduated levy which is based on the duration of investment. For capital repatriated within a period of up to seven months from the date of entry into Malaysia (since the announcement on 1 September 1998), the levy is 30%. For the period exceeding seven months, and up to nine months, the levy is 20%. For the period exceeding nine months, and up to 12 months, no levy is imposed. No levy will be imposed on the repatriation of profits made within the 12 month holding period. All profits made after this 12 month holding period will be subjected to a repatriation levy of 10%. Dividends, interest and rentals are not subjected to any levy.</p> <p>For funds brought in on and after 15 February 1999, the principal is allowed to be repatriated without any levy. However, profits will be subjected to a levy of 30% if repatriated within a period of up to 12 months from the date when profits are made. The levy is reduced to 10% if the profit is repatriated after 12 months from the date profits are made.</p> |
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| | For the purposes of control and monitoring, funds brought into Malaysia on or after February 15, 1999 will be placed in special external accounts to distinguish these funds from existing external accounts. The new measures, however, do not affect the operation of the designated external accounts described above. |
| Is there a double taxation treaty? | <p>Malaysia has Double Taxation Agreements (DTA) with 58 countries. As of the end of July 1998, the status of Malaysian DTAs is as follows:</p> <p>37 effective DTAs :</p> <ul style="list-style-type: none"> - Australia, Austria, Bangladesh, Belgium, Canada, China, Czech Republic, Denmark, Finland, France, Germany, Hungary, India, Indonesia, Italy, Japan, Mauritius, Netherlands, New Zealand, Norway, Pakistan, Philippines, Poland, Romania, Russia, Saudi Arabia (Limited Agreement), Singapore, South Korea, Sri Lanka, Sweden, Switzerland, Thailand, Turkey, United Arab Emirates, United Kingdom, United States of America (Limited Agreement), Vietnam; <p>11 gazetted DTAs :</p> <ul style="list-style-type: none"> - Albania, Argentina (Limited Agreement), Egypt, Fiji, Malta, Mongolia, Papua New Guinea, Sri Lanka (New Agreement), Sudan, United Kingdom (New Agreement), Zimbabwe; <p>16 concluded DTAs :</p> <ul style="list-style-type: none"> - Brunei, Bahrain, India (New Agreement), Iran, Ireland, Japan (New Agreement), Jordan, Kazakhstan, Kuwait, Morocco, Myanmar, Namibia, Singapore (New Agreement), South Africa, Sweden (New Agreement), Uzbekistan, <p>In addition, Malaysia is still negotiating a DTA with Croatia, Finland (New Agreement) , Mexico, Oman, Spain and Uruguay.</p> |
| Are there special dispute resolution procedures for foreign market users? If so, please describe. | There is no special dispute resolution procedure for market users. The same procedures applicable to domestic market users will be applied to foreign market users. |
| Taxation | |
| How are gains on derivatives products taxed? | <p>Malaysia does not have any specific law to deal with the tax treatment of transactions involving financial derivatives. Tax practitioners instead rely on basic tax principles and case law to determine what the treatment should be.</p> <p>The tax treatment of financial derivatives would depend, among other things, on whether the taxpayer is a hedger, trader, or speculator –</p> |

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| | <p><u>Hedgers</u>: A hedging profit or loss generally could be treated as a capital gain/loss or as ordinary income/loss. Capital treatment is generally according to isolated hedges, and gains are not taxable.</p> <p>Ordinary income/loss treatment related to gains arising from hedging trading positions with derivatives as part of normal trading activities or where derivatives are used to hedge or mitigate risk associated with regular business operations such as interest rate or commodity price risk. Such gains are taxable and losses can be carried forward.</p> <p><u>Traders</u>: Generally, the profits or losses derived from traders' transactions are treated as business income or losses. The tax treatment would be different if the treasury function was used to protect the value of an underlying asset, in which case hedging tax treatment would be applicable.</p> <p><u>Speculators</u>: Profits derived from isolated speculative transactions are generally not taxable. However, the taxpayer may enter into a profit-making scheme or enter a transaction with the intention of making a profit such that the revenue authorities will characterize the transaction as an adventure in the nature of trade, and hence the profit would be taxable. (The general principles used to determine how to characterize a trade are the existence of a profit seeking motive, the funding of the transactions, the frequency and volume of similar transactions, and the business in which the company is engaged).</p> <p>Under the Malaysian Income Tax Act, there is no provision for anticipated or unrealized gains or losses. Hence gains or losses would only be computed for tax purposes upon realization. In other words, a gain or loss does not occur until the transaction has been closed out or matures.</p> <p>In reference to the applicable tax rate in Malaysia, local members (individuals) or the exchange are partially exempted from tax on the income derived from trading derivatives products. They are given a 70% abatement on their adjusted income for five years, starting from the date of commencement of operations of the relevant exchanges. However, there are certain conditions imposed on these local members:</p> <ul style="list-style-type: none"> - Applications for abatement must be accompanied by yearly audited accounts. |
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| | <ul style="list-style-type: none"> - Abatements are restricted to individuals (sole proprietors) only. - The abatement would not apply where the local member experiences a loss. <p>There are no exemptions given to futures broking firms. They are taxed at a flat corporate tax rate of 30%.</p> |
| Insolvency | |
| What insolvency provisions apply to futures markets? | <p>In the case of an individual, the Bankruptcy Act 1967 (Act 360) will apply. Where judgment for the sum on MYR 10,000 or more is entered against a person, a creditor will be entitled to commence bankruptcy proceedings pursuant to the Act.</p> <p>In respect of company insolvency, the Companies Act 1965 (Act 125) and its attendant rules and regulations, in particular the Companies Winding-Up Rules, would apply.</p> <p>However, in regard to the clearing house, Section 106B(1) of the FIA 1993 provides that in order to protect its financial stability, a clearing house may take action against an affiliated futures broker which –</p> <ul style="list-style-type: none"> - Is being wound up; - Contravened financial, margining, or payment requirements specified by clearing house rules; or - Is an affiliate falling into prescribed circumstances. <p>This action must be approved by the SC and must be consistent with the clearing house's Business Rules. Subsection 106B(2) prevents provisions of the Companies Act 1965 from invalidating a clearing house's actions or from preventing a clearing house from acting.</p> |
| Enforcement | |
| | <p>The futures exchanges are responsible for enforcing their own business rules. Where there has been a violation of its rules, the exchange may take such actions as prescribed in the rules. In addition, the SC may, under section 11A of the FIA 1993, apply to the courts for an order of such compliance or enforcement as necessary.</p> <p>With regard to violations of the law including fraud, only the courts may impose any sentence stipulated in the relevant legislation. However, where the legislation specifically empowers the SC to take action, the SC may take such action as necessary (<i>e.g.</i>, the revocation of licenses, <i>etc.</i>).</p> |

| General | |
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| Memberships in international organizations (e.g., IOSCO)? Please specify. | SC is an active member of IOSCO. |
| E-mail contact information. | SC: < cau@seccom.com.my >. Ministry of Finance: < webmaster@treasury.gov.my >. |
| Web site address(es). | SC: < www.sc.com.my >. Ministry of Finance: < www.treasury.gov.my >. |

| EXCHANGE DATA | |
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| Exchanges/Contracts Traded | |
| List derivatives exchanges. | There are two futures exchanges – <ul style="list-style-type: none"> - Kuala Lumpur Options and Financial Futures Exchange (KLOFFE) - Commodity and Monetary Exchange of Malaysia (COMMEX) |
| Who owns the exchange (members, government, other)? | KLOFFE is a private limited company wholly owned by KLOFFE Capital Sdn Bhd, which, in turn, is 100% owned by the Kuala Lumpur Stock Exchange. COMMEX is a public company limited by guarantee and owned by members. |
| For each exchange, list contract types traded. | There are no policy restrictions as to the type of contracts that may be introduced by the exchanges. However, the exchanges have in practice restricted themselves to the following products: <ul style="list-style-type: none"> a) COMMEX: commodities, fixed income, interest rate and currency derivatives; b) KLOFFE: equity-linked derivatives. <p>Commodity contracts that are allowed to be traded on COMMEX are restricted to commodities which have been approved by the Commission after consultation with the minister for the time being charged with the responsibility for primary industries.</p> |
| Do you have a stock index? If so, please specify. | Yes. There is a Kuala Lumpur Stock Exchange (KLSE) Composite Index which is calculated using the market prices of 100 companies listed on the KLSE. |
| Do stock index futures exist? If so, please specify. | The KLSE Composite Index futures contract is traded on KLOFFE. |
| What was the average daily volume in futures contract trading at year-end 1998? | KLSE CI Futures: 3,135 contracts. Three Month KLIBOR Futures: 101 contracts. Crude Palm Oil (CPO) Futures: 1,443 lots. |
| What was the annual futures contract trading volume for 1998 (number of contracts/contracts' value)? | KLSE CI Futures: 771,244 contracts. Three Month KLIBOR Futures: 24,738. CPO Futures: 353,539 lots. |
| What was the level of open interest in futures contracts at year-end 1998? | KLSE CI Futures: 1,650 contracts. Three Month KLIBOR Futures: 3,092 contracts. CPO Futures: 4,597 lots. |
| Please describe how you compute contract volume. | One matched trade is considered one contract. Therefore, contract volume is based on the number of matched trades. |

| Trading Features | |
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| Is trading conducted electronically or by open outcry? | Trading on KLOFFE is done electronically, while COMMEX is by open outcry. |
| Are prices disseminated in real-time? If so, how? | <p>Price dissemination is done in real-time. KLOFFE's real-time price information is available from Bloomberg, Reuters, Telerate, Knight Ridder, and Bernama Hyperlink.</p> <p>COMMEX's prices are disseminated on a real-time basis through Reuters, Bloomberg, Telerate, Bridge Information System, Bernama and RT Services.</p> |
| How frequently do you match trades? | <p>KLOFFE: real-time.</p> <p>COMMEX: done via open outcry; <i>i.e.</i>, trades are matched in the pit.</p> |
| Is dual trading permitted? | There is no general prohibition against dual trading. The FIA 1993, however, requires that a client's trades be given priority over a broker's own trading. It also prohibits the brokers from knowingly taking the opposite side of a client's order unless the client is aware of this fact. |
| What surveillance programs are used? | <p>KLOFFE is implementing an on-line market surveillance system which can track market transactions and trading activities. The surveillance system is a Windows NT-based application.</p> <p>Market surveillance on COMMEX is done manually by daily monitoring of daily trade reports. A broker member is required to lodge with the Market Surveillance Unit specific information on all of its clients before any of its clients' orders can be executed by the broker member for the first time. Broker members are required to declare to the Market Surveillance Unit all positions of any of their clients for any trading day where their clients' positions reach the reportable position floor.</p> |
| Risk Management/Clearing | |
| Do exchanges have clearing house? | There is a single clearing house clearing trades for all futures exchanges. |
| Who owns the clearing house? Is the clearing house affiliated or separate? | The clearing house is equally owned by KLOFFE and the Malaysia Monetary Exchange. It is considered to be a separate entity. |
| What is the settlement time frame (<i>e.g.</i> , T+ <u> </u>)? | T+1. |
| Is margin required? | Yes. |
| Who sets the margin levels? | The clearing house. |
| Is margin calculated on a gross or net basis? | Margin is calculated on a net basis at the client level. Margin is collected by brokers, rather than the exchange, and brokers have to pay the required margin to the clearing house before the start of trading the next day. |

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| How frequently are positions marked to market? How often are gains/losses settled? | The positions are marked-to-market daily and the gains and losses are settled before the start of the next trading day. |
| What kind of financial backing exists for brokers/clearing members/clearing house in case of failure? | The clearing house membership requires that its members lodge a security deposit of at least RM 1,000,000. This security deposit will be used in the event of a default by the clearing member. The security deposit can be increased if the clearing house deems it necessary. |
| How does the clearing house allocate losses in the event of a clearing member default? | <p>In the event a clearing member defaults, MDCH has recourse to the following assets, to be used in the following order:</p> <ol style="list-style-type: none"> 1) Cash and realized collateral margin held for the account of the defaulting member; 2) The defaulting member's security deposit of RM1,000,000; 3) The defaulting member's contribution to the clearing fund (minimum RM1,000,000); 4) The reserve against risk established by the clearing house; 5) Surplus funds of the clearing house as determined from time to time by the Board; 6) Non-defaulting clearing members' contributions to the clearing fund (the clearing house has 37 clearing members with a total clearing fund contribution of RM37,000,000); and 7) The clearing house shareholders' funds. |
| Can customer positions be transferred in the event of default? | In the case of a default by a clearing member, MDCH's business rules allow for the transfer of open positions to another clearing member. |
| Are emergency rules in place? If so, please specify. | The clearing house has rules regarding emergency situations whereby certain actions can be taken such as taking offsetting positions in any other market which in its opinion would assist to preserve its financial integrity, or suspend or terminate the membership of any clearing member whose financial condition or business conduct jeopardizes, or may jeopardize, the financial integrity or reputation of the clearing house. |
| General | |
| Are exchange rules available on the Internet? | No. |
| E-mail contact information. | KLOFFE: < klofffe@klofffe.com.my >. COMMEX: < inquiry@commex.com.my >. |
| Web site address(es). | KLOFFE: < www.klofffe.com.my >. COMMEX: < www.klce.com.my >. |

South Korea

| GENERAL AND ECONOMIC DATA | |
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| Macroeconomic Data | |
| 1998 GDP (US\$) | \$321,300,000,000 ¹ (projected) |
| 1998 GDP Percentage Increase (US\$) | (5.8%) |
| 1998 GDP per capita (US\$) | \$6,920 ² (projected) |
| 1998 Consumer Price Index Increase | 7.5% |
| 1998 Balance of Trade Surplus (Deficit) | \$41,160,000,000 |
| 1998 Total External Debt | \$149,350,000,000 ³ (revised) |
| Total External Debt/GDP | 46.5% |
| Market Data | |
| 1998 Stock market capitalization (US\$) | \$114,090,454,545 ⁴ |
| 1998 Stock market capitalization/GDP | 35.5% |
| 1998 Government Debt Market | KR Won 41,572,800,000,000 ⁵ |
| Yield to Maturity (%) of 1/5/10 year Government Debt Instruments as of 12/31/98 | 1 year: 7.25% (1998 year-end) ⁶ 5 year: 7.30% (1998 year-end) ⁷ 10 year: Not applicable |
| Annualized Volatility (%) for 1/5/10 year Government Debt Instruments as of 12/31/98 | 5 year instruments: 10.6% ⁸ |
| Annualized Volatility (%) for a Broad Index of Equities | N/a |
| General Data | |
| Currency | KR Won. |
| Is currency pegged to US dollar? If so, what is the currency floor? The cap? | No. |

¹ Bank of Korea – nominal GDP based on 1995, <www.bok.or.kr>.

² Bank of Korea, National Statistical Office – divided the 1998 GDP (US\$) by 1998 population.

³ MOFE - IBRD, <www.mofe.go.kr>.

⁴ Korea Stock Exchange - divided the year-end market capitalization of 137,798,451 million won from year-end F/X rate of 1,207.8 won/US\$, <www.kse.or.kr>.

⁵ Bank of Korea - total outstanding government bonds, <www.bok.or.kr>.

⁶ Based on 364-day monetary stabilization bond.

⁷ Based on 5-year National Housing Bond (Type-1).

⁸ Korea Securities Dealer Association - differential in the maximum and minimum yield rate during the year (the yield rates are weighted averages considering the volume and yield rates posted by securities houses), <www.ksda.or.kr>.

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| Actual Range of Exchange Rate from 6/30/98 to 3/31/99? | 1,151.0 – 1,403.9 |
| Sovereign Debt Rating | Baa3/BBB- ⁹ |
| 1997 Population | 46,429,817 ¹⁰ |
| Major Sectors (Agriculture, Mining, Industry) | Electronics, chemicals, autos, ships, textiles, and clothing. |

⁹ The credit rating agencies recently restored the Republic of Korea's sovereign rating to investment grade. Fitch IBCA upgraded its rating to BBB- from BB+ on January 19, 1999. S&P also upgraded its rating to BBB- from BB+ on January 25, 1999. Moody's upgraded its rating to Baa3 from Ba1.

¹⁰ National Statistical Office, <www.nso.go.kr>.

| REGULATORY DATA | |
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| Regulatory Framework | |
| Principal derivatives law. | The principle derivatives law is the Futures Trading Act of 1995 (FTA), ¹¹ but the stock index futures and stock index options are regulated by the Securities and Exchange Act of 1962 (SEA). ¹² OTC derivatives trading with respect to foreign currency or non-residents is regulated by the Foreign Exchange Management Act of 1961. |
| Principal securities law. | Securities and Exchange Act of 1962. |
| Futures regulatory authority. | <p>The Ministry of Finance & Economy (MOFE) has the authority to amend the Acts and to grant licenses to derivatives-related businesses.</p> <p>The Financial Supervisory Commission (FSC) has the authority to supervise and regulate derivatives trading and derivatives-related businesses.</p> <p>In addition, the executive arm of the FSC, the Financial Supervisory Service (FSS) was launched on Jan. 1, 1999.</p> |
| Securities regulatory authority. | (same as the futures regulatory authority) |
| Do self-regulatory organizations (SROs) supplement governmental regulation? How? | Yes. The SROs (Exchange and the Association) require their members to comply with the Acts and rules and regulations thereunder, as well as appropriate SRO rules. |
| Regulation of Exchanges | |
| Must exchanges/contracts be authorized by the authorities prior to the start of trading? | Yes. An exchange is required to get a license from the MOFE prior to its establishment. The operating rules of the exchange stipulate the types of futures transactions and contracts. |

¹¹ The futures exchange under the FTA has not yet been established.

¹² The stock index futures market, launched in May 1996, and the stock index options market, launched in July 1997, are sub-markets of the Korea Stock Exchange regulated by the SEA.

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| | Prior approval from the MOFE (which should consult with the FSC) must be obtained before enacting any changes. |
| What trade and other information reporting/dissemination and recordkeeping requirements apply to exchanges? | Exchanges must disseminate the price of each contract and keep raw data on the prices. The FTA requires exchanges to report prices, trading volume and other information to the FSC. |
| Do price limits and circuit breakers exist? If so, at what levels are they set? | <p>Price Limits</p> <ul style="list-style-type: none"> - Stock Index Futures: Daily price change limit for futures contracts is $\pm 10\%$ of the previous day's closing price. - Stock Index Options: There is no daily price change limit in options contracts. <p>Circuit Breakers:</p> <ul style="list-style-type: none"> - When the lead month contract hits $\pm 5\%$ of the previous day's closing price for a specified time (1 minute), and the deviation rate of the current futures price from the theoretical price exceeds $\pm 3\%$, the trading of all contracts is halted for the next five minutes. - Also, futures markets will be halted if the stock market suspends automatically for 20 minutes when the KOSPI falls 10% or more from the previous day's closing price and this movement continues for a specified time (1 minute). - For the next 10 minutes following the cooling-off period, orders are collected and then matched by call trading. The circuit breakers shall be run only one time a day and shall not be triggered after 14:20. In the event of a drastic change to a market after 14:20, trading will continue until the normal close without a market halt. |
| Are there special requirements for electronic trading systems? If so, please specify. | No. |
| Are exchanges audited by regulators? By others (specify)? | Yes. The FSC can have the staff of the FSS examine exchanges. |

| Regulation of Financial Service Providers | |
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| Are there licensing/authorization requirements for brokers? For others (specify)? | Broker-dealers of stock price index futures or stock price index options, and futures commission merchants/commodity pool operators must obtain a license from the MOFE in accordance with the SEA and the FTA, respectively. |
| What reporting/recordkeeping requirements apply to market participants (traders/brokers)? | Broker-dealers, futures commission merchants and commodity pool operators must keep books and records of all transactions and accounting, and report to the FSC in accordance with the FSC's rules and regulations. |
| Are there sales practice/conduct of business standards for brokers? Others (specify)? | There are sales practice/conduct of business standards for broker-dealers, futures commission merchants and commodity pool operators. Major standards cover risk disclosure, customer suitability, protection of customer funds, and notice to the customer and others to prevent fraud or misrepresentation. |
| Are there minimum capital requirements for brokers? For others (specify)? | Broker-dealers of stock index futures or stock index options must maintain minimum capital of 30 billion won in accordance with the SEA. The FTA requires that 10 billion won must be maintained by futures commission merchants, and 30 billion won by commodity pool operators. |
| Are brokers audited by regulators? By others (specify)? | Broker-dealers, futures commission merchants and commodity pool operators are required to be audited by the FSS. |
| Are there segregation requirements for customer funds? If so, please describe. | <p>Yes. In the case of stock index futures and stock index options, broker-dealers must deposit a certain portion (from 30% to 100%, depending on the operating net capital ratio) of the daily average customer fund amount in the previous month with other financial institutions.</p> <p>Futures commission merchants must deposit 100% of customer funds with other financial institutions, or the exchange, regardless of financial status.</p> |

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| <p>Are there other customer compensation or “insurance” arrangements? If so, please describe.</p> | <p>Broker-dealers of stock index futures and stock index options</p> <ul style="list-style-type: none"> - Broker-dealers are required to reserve, in the exchange, 0.00015% of notional amounts of futures trading and 0.001% of the option premium, as the Joint Compensation Fund (JCF) for Loss incurred from contravention of contracts. - There is an insurance system for customer funds. If the broker-dealers are unable to pay customer funds due to bankruptcy, <i>etc.</i>, the Korea Deposit Insurance Corporation provides protection for customer accounts up to 20 million won. - Customer funds deposited before July 31, 1998: principal plus accrued interest shall be protected. - Customer funds deposited after August 1, 1998: where the principal exceeds 20 million won per person, all the principal shall be protected; where the principal falls under 20 million won, the principal plus accrued interest shall be protected to 20 million won. <p>Futures commission merchants</p> <ul style="list-style-type: none"> - The members of the futures exchange are required to reserve the Joint Compensation Fund in the exchange. - The specific reserve rates vary from 0.00001% to 0.001% according to the traded commodities. - There is no insurance program for futures commission merchants. |
| <p>Are there custody requirements for customer funds? If so, please describe.</p> | <p>Custody of customer funds of broker-dealers</p> <ul style="list-style-type: none"> - The FSC’s rule limits the custody of customer funds of broker-dealers to banks or the Securities Finance Corporation, established pursuant to the SEA. - No other custody requirements. <p>Futures Commission Merchants</p> <ul style="list-style-type: none"> - Banks, investment companies, securities companies, and other financial institutions |

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| | <p>or exchanges are eligible.</p> <ul style="list-style-type: none"> - No other custody requirements. |
| Are there dispute resolution procedures? If so, please describe. | The FTA/SEA grants the authority to resolve disputes to the FSS. Once a customer's claim is filed with the FSS, it cross-examines both parties involved and inspects related records and documents. The FSS then presents a mediation resolution to both parties and, if both parties agree, the dispute is settled out of court. In cases where the customer agrees but the broker-dealer or futures commission merchant refuses the mediation resolution, the FSS may take disciplinary action against the broker-dealer or futures commission merchant. |
| Access to Foreign Markets | |
| Must foreign markets be approved for use by domestic investors? If so, by whom? | No. |
| Foreign Access to Markets | |
| Are there limits on foreign investments in derivatives? If so, please describe. | No. All the investment limits on derivatives have been lifted. However, foreign investors must make an initial registration with the FSS. |
| Are there restrictions on repatriation of funds? If so, please describe. | No. |
| Is there a double taxation treaty? | Yes. Double taxation treaties are in effect with 50 countries (at the end of July 1998), including the U.S., the U.K. and Japan. |
| Are there special dispute resolution procedures for foreign market users? If so, please describe. | No. |
| Taxation | |
| How are gains on derivatives products taxed? | There is no capital gains tax in Korea. |
| Insolvency | |
| What insolvency provisions apply to futures markets? | <p>Broker-dealers of stock index futures and stock index options</p> <p>The Financial Industry Restructuring Act of 1997 applies first, then the SEA. The Bankruptcy Act is applied in instances not accounted for in the previous two acts.</p> <p>Futures Commission Merchants</p> <p>The FTA applies first, with the Bankruptcy Act applying for other provisions not referred to in the FTA.</p> |

| Enforcement | |
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| What authority is responsible for punishing violations of exchange rules, the law, or regulations governing derivatives? Fraud? | The FSC is responsible for investigating and punishing violations or fraud. However, only the prosecutor can bring an action. |
| General | |
| Memberships in international organizations (e.g., IOSCO)? Please specify. | IOSCO, APEC, ASEAN, IMF, OECD, World Bank. |
| E-mail contact information. | KSE: < ksecintl@bora.dacom.co.kr >. |
| Web site address(es). | MOFE: < www.mofe.go.kr >. FSS: < www.fss.or.kr >. FSC: < www.fsc.go.kr >. KSE: < www.kse.or.kr >. KOFEX: < www.kofex.com >. |

| EXCHANGE DATA | |
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| Exchanges/Contracts Traded | |
| List derivatives exchanges. | <p>Korea Stock Exchange (KSE)</p> <ul style="list-style-type: none"> - Only futures and options on stock price indices are traded on the KSE. <p>Korea Futures Exchange (KOFEX)</p> <ul style="list-style-type: none"> - KOFEX lists US dollar currency futures and options, CD futures, and gold futures as its major products and may increase the number of listed products by developing new products. |
| Who owns the exchange (members, government, other)? | Members. |
| For each exchange, list contract types traded. | <p>KSE: Stock Price Index Futures, Stock Price Index Options.</p> <p>KOFEX: Currency Futures, Currency Options, CD Futures, Gold Futures.</p> |
| Do you have a stock index? If so, please specify. | <p>KOSPI (The Korea Composite Stock Price Index).</p> <p>KOSPI 200 (The Korea Composite Stock Price Index 200): Capitalization-weighted index composed of 200 representative stocks from a broad range of industries.</p> <p>First Section Index: Index for large sized and financially strong companies.</p> <p>Second Section Index: Index for newly listed and financially weak companies.</p> <p>Large Cap. Index.</p> <p>Middle Cap. Index.</p> <p>Small Cap. Index.</p> <p>Business Sector Indices: Indices by business sectors.</p> |
| Do stock index futures exist? If so, please specify. | <p>Yes (KOSPI 200 Futures)</p> <ul style="list-style-type: none"> - Underlying Index: KOSPI 200 - Multiplier: Won 500,000 - Contract Month: 3, 6, 9, 12 (the longest maturity is one year). - Last trading day: 2nd Thursday of each contract month. - Method of transaction: computerized trading system. |

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| | - Daily price limit: $\pm 10\%$. |
| What was the average daily volume in futures contract trading at year-end 1998? | KSE: 61,279 contracts. KOFEX: Started 1999. |
| What was the annual futures contract trading volume for 1998 (number of contracts/contracts' value)? | KSE: 17,893,592 contracts [Won 405,903 billion]. KOFEX: Started 1999. |
| What was the level of open interest in futures contracts at year-end 1998? | KSE: 26,689 contracts. KOFEX: Started 1999. |
| Please describe how you compute contract volume. | One sale and purchase makes one contract. |
| Trading Features | |
| Is trading conducted electronically or by open outcry? | Trading is conducted electronically. |
| Are prices disseminated in real-time? If so, how? | The prices are disseminated on a real-time basis through terminals operated and maintained by the KSE. The exchange also provides the trading data to Reuters, Bloomberg, Telerate, and others. |
| How frequently do you match trades? | Continuously during a session. |
| Is dual trading permitted? | Yes. |
| What surveillance programs are used? | The Comprehensive Surveillance and Information System (COSIS) is used for surveillance. COSIS is composed of the Stock Watch System and the Computer Aided Surveillance System. |
| Risk Management/Clearing | |
| Do exchanges have clearing house? | No (in-house type). |
| Who owns the clearing house? Is the clearing house affiliated or separate? | The KSE assumes clearing house responsibilities. |
| What is the settlement time frame (e.g., T+)? | T+1. |
| Is margin required? | Yes. |
| Who sets the margin levels? | KSE. KOFEX. |
| Is margin calculated on a gross or net basis? | Net basis. |
| How frequently are positions marked to market? How often are gains/losses settled? | Daily/Daily. |
| What kind of financial backing exists for brokers/clearing members/clearing house in case of failure? | Korea Deposit Insurance Corporation, Joint Compensation Fund (JCF), and Fidelity Guaranty Money. |
| How does the clearing house allocate losses in the event of a clearing member default? | The KSE makes up losses resulting in cases of default by using the anti-default funds in the |

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| | <p>order indicated:</p> <ol style="list-style-type: none"> 1. The defaulting member's margin deposit (cash). 2. The defaulting member's JCF. 3. The defaulting member's Fidelity Guaranty Money. 4. Other members' stakes in the JCF. 5. The defaulting member's deposited securities. |
| Can customer positions be transferred in the event of default? | Yes. Upon a clearing member's default, all open positions held by the member would be transferred to other members. |
| Are emergency rules in place? If so, please specify. | Yes. In the event that futures or options transactions cannot be normally executed because of natural disaster, warfare, <i>etc.</i> , the MOFE can order the temporary closing of the market or take other necessary measures. |
| General | |
| Are exchange rules available on the Internet? | Yes. |
| E-mail contact information. | <p>KSE: <w3master@kse.or.kr>.</p> <p>KOFEX: <webmaster@kofex.com>.</p> <p>FSS: <jinwin@sbsmail.net>.</p> |
| Web site address(es). | <p>KSE: <www.kse.or.kr>.</p> <p>KOFEX: <www.kofex.com>.</p> <p>FSS: <www.fss.or.kr>.</p> <p>FSD: <www.fsc.or.kr>.</p> |

Taiwan

| GENERAL AND ECONOMIC DATA | |
|-------------------------------------------------------------------------------------|----------------------------------------------------|
| Macroeconomic Data | |
| 1997 GDP (US\$) | \$283,300,000,000 |
| 1997 GDP Percentage Increase (US\$) | 8.74% |
| 1997 GDP per capita (US\$) | \$13,130 |
| 1997 Consumer Price Index Increase | 0.9% |
| 1997 Balance of Trade Surplus (Deficit) | \$7,780,000,000 |
| 1997 Total External Debt | \$45,114,000 |
| Total External Debt/GDP | 0.0159% |
| Market Data | |
| 1997 Stock market capitalization (US\$) | \$297,199,000,000 |
| 1997 Stock market capitalization/GDP | 119.20% |
| 1997 Government Debt Market | NT\$ 1034.4 billion (Government Bonds Outstanding) |
| Yield to Maturity (%) of 1/5/10 year Government Debt Instruments as of 6/30/98 | Not available |
| Annualized Volatility (%) for 1/5/10 year Government Debt Instruments as of 6/30/98 | Not available |
| Annualized Volatility (%) for a Broad Index of Equities | Not available |
| General Data | |
| Currency | New Taiwan Dollar [NT\$]. |
| Is currency pegged to US dollar? If so, what is the currency floor? The cap? | No. |
| Actual Range of Exchange Rate from 6/30/97 to 6/30/98? | 27.86 – 34.44 |
| Sovereign Debt Rating | Aa/AA |
| 1997 Population | 21,577,000 |
| Major Sectors (Agriculture, Mining, Industry) | Manufacturing. |

| REGULATORY DATA | |
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| Regulatory Framework | |
| Principal derivatives law. | Futures Trading Law. |
| Principal securities law. | Securities & Exchange Law. |
| Futures regulatory authority. | Securities and Futures Commission. |
| Securities regulatory authority. | Securities and Futures Commission. |
| Do self-regulatory organizations (SROs) supplement governmental regulation? How? | TSE (Sec. Ex.), TAIMEX (Fut. Ex.), TSDA (Sec. Ass.), and TFA (Sec. Ass.). |
| Regulation of Exchanges | |
| Must exchanges/contracts be authorized by the authorities prior to the start of trading? | Yes. |
| What trade and other information reporting/dissemination and recordkeeping requirements apply to exchanges? | Periodic trading statistics, and financial statements and others required by the Securities and Futures Commission. |
| Do price limits and circuit breakers exist? If so, at what levels are they set? | Daily Price Limit: 7% of previous day's settlement price. |
| Are there special requirements for electronic trading systems? If so, please specify. | They must be authorized by the Securities and Futures Commission. |
| Are exchanges audited by regulators? By others (specify)? | The exchanges are audited by the Securities and Futures Commission. |
| Regulation of Financial Service Providers | |
| Are there licensing/authorization requirements for brokers? For others (specify)? | Minimum Capital Requirement: NT\$ 200 million for a brokerage firm and NT\$ 400 million for a proprietary firm. Minimum Associated Person: 3 persons for brokerage and a proprietary firm. |
| What reporting/recordkeeping requirements apply to market participants (traders/brokers)? | Periodic trading statistics, financial statements and other records required by the Securities and Futures Commission. |
| Are there sales practice/conduct of business standards for brokers? Others (specify)? | Regulations governing futures firms. |
| Are there minimum capital requirements for brokers? For others (specify)? | NT\$ 200 million for brokers and NT\$ 400 million for proprietary firms. |
| Are brokers audited by regulators? By others (specify)? | Brokers are audited by the Securities and Futures Commission. |
| Are there segregation requirements for customer funds? If so, please describe. | Customers' funds shall be segregated in the exclusive accounts for customers' margins and premiums. |

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| Are there other customer compensation or “insurance” arrangements? If so, please describe. | See EXCHANGE DATA, <i>infra</i> p. 71. |
| Are there custody requirements for customer funds? If so, please describe. | Futures firms must open designated bank accounts to deposit customer funds. |
| Are there dispute resolution procedures? If so, please describe. | Any dispute can be resolved through arbitration, if agreed to by both parties. |
| Access to Foreign Markets | |
| Must foreign markets be approved for use by domestic investors? If so, by whom? | Foreign futures exchanges must get approval from the Securities and Futures Commission. |
| Foreign Access to Markets | |
| Are there limits on foreign investments in derivatives? If so, please describe. | (1) Each institutional foreign investor cannot trade futures greater than that invested in their securities portfolio in contract value, nor exceeding the balance of 30% of net remitted inflow funds for securities portfolio investment, minus “sunken” money market investment; and (2) Subject to the central bank’s capital movement regulations. |
| Are there restrictions on repatriation of funds? If so, please describe. | No. |
| Is there a double taxation treaty? | Yes, but double taxation avoidance only applies to a few foreign countries that sign an MOU. |
| Are there special dispute resolution procedures for foreign market users? If so, please describe. | National treatment is applied. |
| Taxation | |
| How are gains on derivatives products taxed? | The futures transaction tax rate is 0.05%. No capital gain on futures trading is levied. |
| Insolvency | |
| What insolvency provisions apply to futures markets? | See EXCHANGE DATA, <i>infra</i> p. 71. |
| Enforcement | |
| What authority is responsible for punishing violations of exchange rules, the law, or regulations governing derivatives? Fraud? | Securities and Futures Commission. |
| General | |
| Memberships in international organizations (e.g., IOSCO)? Please specify. | IOSCO. |

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| E-mail contact information. | SFC: < rocsec@ms2.hinet.net >. |
| Web site address(es). | SFC: < www.sfc.gov.tw >. |

| EXCHANGE DATA | |
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| Exchanges/Contracts Traded | |
| List derivatives exchanges. | Taiwan International Mercantile Exchange (TAIMEX). |
| Who owns the exchange (members, government, other)? | TAIMEX is a corporation limited by shares with two billion NT dollars (US\$ 58 million), paid-in capital equally allocated among four relevant industries; <i>i.e.</i> , securities, futures, banking, and securities/futures related institutions such as the Taiwan Stock Exchange and the Taiwan Securities Central Depository Company, <i>etc.</i> There are a total of 213 shareholders. Each shareholder shall not possess over 5% of the paid-in capital unless otherwise approved by the Securities and Futures Commission (SFC). |
| For each exchange, list contract types traded. | Currently, only one product is traded, the Taiwan Stock Exchange Capitalization Weighted Stock Index (TAIEX) futures. |
| Do you have a stock index? If so, please specify. | Yes. TAIEX (see Chart I, <i>infra</i> p. 75). |
| Do stock index futures exist? If so, please specify. | Yes. TAIEX has stock index futures. |
| What was the average daily volume in futures contract trading at year-end 1997? | TAIEX futures was launched on July 21, 1998. The daily trading volume grew from 211 contracts on the launch day to 1,944 contracts on September 4, 1998. |
| What was the annual futures contract trading volume for 1997 (number of contracts/contracts' value)? | 1.6 million contracts on the foreign futures exchange. [Trading on the Taiwan futures exchange did not begin until 1998.] |
| What was the level of open interest in futures contracts at year-end 1997? | Not available. |
| Please describe how you compute contract volume. | One matched trade represents one contract volume. |
| Trading Features | |
| Is trading conducted electronically or by open outcry? | Electronically. |
| Are prices disseminated in real-time? If so, how? | Yes. The computer system will display the current trade price along with the five best bid/ask prices, then transmit such information to quote vendors for price dissemination, and |

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| | to FCMs for trade confirmation. |
| How frequently do you match trades? | Every 30 seconds. |
| Is dual trading permitted? | No. Although dual trading may not happen in the electronic trading environment, the laws do prohibit futures brokerage firms from executing “insiders” futures trading in a more favorable procedure than for other customers. |
| What surveillance programs are used? | <p>The electronic trading system has a function which automatically collects and identifies different orders, unfilled or filled, new or offsetting, enabling the staff to monitor the real-time trading condition of every particular FCM or clearing member.</p> <p>The clearing system is programmed to:</p> <ul style="list-style-type: none"> - Identify the customers with larger positions and input such data into a so-called surveillance file. - Monitor, on a real-time basis, the clearing members by margin level and certain prescribed criteria, such as the proportion of their positions to the overall open interests, or the proportion of required margins to the adjusted net capital. |
| Risk Management/Clearing | |
| Do exchanges have clearing house? | Every matched trade is settled through the Clearing Department of the TAIMEX. |
| Who owns the clearing house? Is the clearing house affiliated or separate? | There is no independent clearing house. |
| What is the settlement time frame (e.g., T+)? | All payments to, and collections from, clearing members are made in the same day. |
| Is margin required? | Yes. Currently, the clearing, initial and maintenance margins are set to be NT\$ 80,000, NT\$ 120,000, and NT\$ 90,000, respectively, as adjusted according to index level and market volatility. |
| Who sets the margin levels? | The Clearing Department of the TAIMEX sets the margin levels, and the Clearing Committee may suggest to the Board of Directors a margin level change at the appropriate time. |
| Is margin calculated on a gross or net basis? | Gross basis. |
| How frequently are positions marked to market? How often are gains/losses settled? | The settlement process starts at 1:30 p.m. every business day, while the Clearing |

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| | <p>Department settles with each clearing member based on mark-to-market of all positions to the settlement price.</p> <p>The clearing system will update the intra-market statistics of positions when new orders are matched; that is, positions can be marked-to-market at any time. In addition, the intra-day mark-to-market processes are performed twice a day, at 9:30 and 11:00 a.m. In the case of extreme price fluctuation, the Clearing Department of the TAIMEX has the authority to perform additional intra-day calculations and to issue a margin call.</p> |
| What kind of financial backing exists for brokers/clearing members/clearing house in case of failure? | <p>There are four kinds of financial backing resources; namely, clearing margin, clearing/settlement fund, compensation reserve fund and common bond:</p> <ul style="list-style-type: none"> - Clearing Margin: posted by every clearing member for the open positions of its proprietary and customer accounts, collected on the “gross” basis. - Clearing and Settlement Fund: the required amount posted by the clearing member varies (see Chart II, <i>infra</i> p. 76). - Compensation Reserve Fund: the TAIMEX will set aside NT\$ 300 million to the designated financial institutions initially, and shall post 20% of the total clearing income every quarter after starting business. - Common Bond: if the default continues to remain unsatisfied after the above funds are applied, the TAIMEX will invoke the common bond rule, in which the balance of the unsatisfied default will be proportionately allocated among the non-defaulting clearing members. |
| How does the clearing house allocate losses in the event of a clearing member default? | <p>According to Article 49 of the Futures Trading Law, if a clearing member fails to discharge its clearing and settlement obligation, the futures clearing house shall apply the following clearing guarantees to cover the default in the order set forth:</p> <ul style="list-style-type: none"> - The defaulting clearing member’s clearing |

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| | margin; - The defaulting member's reserve to the clearing and settlement fund; - Other clearing member's reserve to the clearing and settlement fund; - The compensation reserve fund set aside by the clearing house; and - The proportional amount levied against other clearing members, as determined by the clearing house (subject to approval by the SFC). |
| Can customer positions be transferred in the event of default? | Yes. Every FCM and clearing member is required to sign a "customer positions succession agreement" with another clearing member before applying for membership with the TAIMEX. |
| Are emergency rules in place? If so, please specify. | Yes. The six-chapter emergency rules describe detailed standard procedures in response to various emergent incidences such as <i>force majeure</i> , system breakdown, financial failure of member firms, extreme market volatility, <i>etc.</i> |
| General | |
| Are exchange rules available on the Internet? | A bilingual web site is available, but the exchange rules are in Chinese. However, some of the key points can be found in the English edition. |
| E-mail contact information. | TAIMEX: < service@taimex.com.tw >. |
| Web site address(es). | TAIMEX: < www.taimex.com.tw >. |

CHART I
CONTRACT SPECIFICATION FOR TAIEX STOCK INDEX FUTURES

| Item | Description |
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| Underlying Index | Taiwan Stock Exchange Capitalization Weighted Stock Index (TAIEX). |
| Ticker Symbol | TX. |
| Delivery Months | Spot month, the next calendar month, and the next three quarter months. |
| Last Trading Day | The third Wednesday of the delivery month. |
| Trading Hours | 09:00 AM – 12:15 PM, Monday through Saturday of the regular business days of the Taiwan Stock Exchange. |
| Contract Size | NT\$ 200 * Index. |
| Minimum Fluctuation | One index point (NT\$ 200). |
| Daily Price Limit | ± 7% of the previous day's settlement price. |
| Margin | <p>1. The initial and maintenance margin level as well as the collecting measures prescribed by the FCM to its customers shall not be less than those required by the TAIMEX.</p> <p>2. The margin level will be adjusted and announced by the TAIMEX in accordance with “the Criteria and Collecting Methods regarding Performance Bonds of TAIEX Futures.”</p> |
| Final Settlement Day | The first business day following the last day of trading. All the open interests after the final settlement day shall be settled on the final settlement price. |
| Final Settlement Price | The first TAIEX price publicized by the Taiwan Stock Exchange on the first business day following the last day of trading. |
| Settlement | Cash settlement. |
| Position Limit | <p>1. Individuals: 100 contracts.</p> <p>2. Institutional investors: 300 contracts (institutional investors may apply for exemptions from the above limit for their hedge accounts).</p> |

CHART II
CLEARING AND SETTLEMENT FUND REQUIRED AMOUNTS

| | Individual CM | General CM | Special CM |
|-------------------------------------------------------------|---------------------------------------------------------------------------|------------------|------------|
| Initial Deposit | 20% of the paid-in capital, but no more than NT\$ 40 million. | NT\$ 40 million. | |
| Monthly deposit after starting trading | Based on the criteria prescribed by the Clearing Committee of the TAIMEX. | | |
| For every consigned FCM | N.A. | NT\$ 3 million. | |
| For every new branch office of its contracted FCM | N.A. | NT\$ 1 million. | |
| For every consigned IB or every new branch office of the IB | NT\$ 1 million | N.A. | |

Thailand

| GENERAL AND ECONOMIC DATA | |
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| Macroeconomic Data | |
| 1998 GDP (US\$) | \$116,449,000,000 |
| 1998 GDP Percentage Increase (Baht) | (0.2%) |
| 1998 GDP per capita (US\$) | \$1,834 |
| 1998 Consumer Price Index Increase | 8.1% |
| 1998 Balance of Trade Surplus (Deficit) | \$12,232,000,000 |
| 1998 Total External Debt | \$86,160,000,000 |
| Total External Debt/GDP | 74% |
| Market Data | |
| 1998 Stock market capitalization (US\$) | \$30,655,000,000 |
| 1998 Stock market capitalization/GDP | 26.3% |
| 1998 Government Debt Market | \$41,829,000,000 |
| Yield to Maturity (%) of 1/5/10 year Government Debt Instruments as of 3/31/99 | 1 year: 3.245% 5 years: 6.155% 10 years: 7.62% |
| Annualized Volatility (%) for 1/5/10 year Government Debt Instruments | Cannot be determined due to inactive bond trading. |
| Annualized Volatility (%) for a Broad Index of Equities | Not applicable. |
| General Data | |
| Currency | Baht. |
| Is currency pegged to US dollar? If so, what is the currency floor? The cap? | No. |
| Actual Range of Exchange Rate from 7/1/98 to 3/31/99? | 35.751 – 42.148 ¹ |
| Sovereign Debt Rating | Ba1/BBB |
| 1997 Population | 61,470,000 |
| Major Sectors (Agriculture, Mining, Industry) | Computers and parts, textiles products, electrical appliances, integrated circuits and parts, rice. |

¹ 1998 average exchange rate = 41.37 Baht/US\$. Prior to July 2, 1997, the figures were the rate of the Exchange Equalization Fund (EEF); since July 2, 1997, the figures are represented by average inter-bank exchange rate.

| REGULATORY DATA | |
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| Regulatory Framework | |
| Principal derivatives law. | The Draft Derivatives Market Act B.E. The DDMA was approved in principle by the Cabinet on March 24, 1998, and is now being reviewed by the Council of State prior to submission to the Parliament for scrutiny and approval. |
| Principal securities law. | The principal securities law is the Securities and Exchange Act, B.E. 2535 (1992). |
| Futures regulatory authority. | SEC (for financial-linked futures and options). |
| Securities regulatory authority. | SEC. |
| Do self-regulatory organizations (SROs) supplement governmental regulation? How? | All SROs under the DDMA (exchanges, clearing houses, and regulatory associations of derivatives intermediaries) are assigned to perform certain regulatory functions supplementing governmental regulation. |
| Regulation of Exchanges | |
| Must exchanges/contracts be authorized by the authorities prior to the start of trading? | Exchanges whose businesses involve the general public as well as contracts traded on such exchanges must be authorized by the SEC. |
| What trade and other information reporting/dissemination and recordkeeping requirements apply to exchanges? | Exchanges are required to maintain an efficient dissemination and recordkeeping system of trading information, and must submit trading reports as well as other documents prescribed by the SEC. |
| Do price limits and circuit breakers exist? If so, at what levels are they set? | Exchanges may set price limits or circuit breakers according to their business rules. |
| Are there special requirements for electronic trading systems? If so, please specify. | No. |
| Are exchanges audited by regulators? By others (specify)? | The SEC has the power to audit exchanges that are permitted to conduct derivatives business under the DDMA. |
| Regulation of Financial Service Providers | |
| Are there licensing/authorization requirements for brokers? For others (specify)? | Brokers, dealers, advisors, and fund managers whose businesses involve the general public are required to obtain licensing from the SEC before they conduct derivatives business. |
| What reporting/recordkeeping requirements apply to market participants (traders/brokers)? | Intermediaries are required to submit their financial reports or any other documents as prescribed by the SEC. To enhance the |

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| | integrity of the financial system and control risks incurred by derivatives transactions, the SEC can issue rules related to recordkeeping of transactions. |
| Are there sales practice/conduct of business standards for brokers? Others (specify)? | There are sales practice/conduct of business standards for intermediaries whose businesses involve the general public. |
| Are there minimum capital requirements for brokers? For others (specify)? | The DDMA authorizes the SEC to impose minimum capital requirements for each type of business. |
| Are brokers audited by regulators? By others (specify)? | All brokers are audited by the SEC. |
| Are there segregation requirements for customer funds? If so, please describe. | The DDMA requires segregation of customer funds both at the intermediary level and at the clearing house level. |
| Are there other customer compensation or "insurance" arrangements? If so, please describe. | Not required by law (DDMA). |
| Are there custody requirements for customer funds? If so, please describe. | Custodians of customer funds must be approved by the SEC and must comply with the segregation requirements prescribed for the intermediary and/or the clearing house. |
| Are there dispute resolution procedures? If so, please describe. | Both exchanges and regulatory associations are required by the DDMA to have dispute resolution procedures. |
| Access to Foreign Markets | |
| Must foreign markets be approved for use by domestic investors? If so, by whom? | Foreign markets must be approved by the SEC for use by domestic investors only if they solicit the public in Thailand. |
| Foreign Access to Markets | |
| Are there limits on foreign investments in derivatives? If so, please describe. | No. |
| Are there restrictions on repatriation of funds? If so, please describe. | Repatriation of investment funds, dividends and profits, as well as loan repayments and interest payments thereon, may be made freely after settlement of all applicable taxes in Thailand. Securities, promissory notes, and bills of exchange may be freely repatriated. |
| Is there a double taxation treaty? | Yes. Currently with 39 countries. |
| Are there special dispute resolution procedures for foreign market users? If so, please describe. | No. |

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| Taxation | |
| How are gains on derivatives products taxed? | Not applicable. |
| Insolvency | |
| What insolvency provisions apply to futures markets? | The DDMA has provisions to (1) ensure that funds segregated at the clearing house can be applied towards fulfilling contractual obligations in the case of a clearing member or client insolvency, and (2) protect client assets in the case of an intermediary's insolvency. |
| Enforcement | |
| What authority is responsible for punishing violations of exchange rules, the law, or regulations governing derivatives? Fraud? | The SEC is responsible for punishing persons who violate the law and SEC rules. The exchange must provide measures to enforce compliance of its members. |
| General | |
| Memberships in international organizations (e.g., IOSCO)? Please specify. | The SEC is a member of IOSCO. |
| E-mail contact information. | SEC: < info@sec.or.th >. |
| Web site address(es). | SEC: < www.sec.or.th >. |

| EXCHANGE DATA | |
|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Exchanges/Contracts Traded | |
| List derivatives exchanges. | Not applicable. |
| Who owns the exchange (members, government, other)? | Not applicable. |
| For each exchange, list contract types traded. | Not applicable. |
| Do you have a stock index? If so, please specify. | Yes. The SET index is a market capitalization weighted average index. The SET 50 index is calculated by using the same methodology as the SET index, but only 50 component stocks are selected based on size and liquidity. |
| Do stock index futures exist? If so, please specify. | No. |
| What was the average daily volume in futures contract trading at year-end 1997? | Not applicable. |
| What was the annual futures contract trading volume for 1997 (number of contracts/contracts' value)? | Not applicable. |
| What was the level of open interest in futures contracts at year-end 1997? | Not applicable. |
| Please describe how you compute contract volume. | Not applicable. |
| Trading Features | |
| Is trading conducted electronically or by open outcry? | Not applicable. |
| Are prices disseminated in real-time? If so, how? | Not applicable. |
| How frequently do you match trades? | Not applicable. |
| Is dual trading permitted? | Not applicable. |
| What surveillance programs are used? | Not applicable. |
| Risk Management/Clearing | |
| Do exchanges have clearing houses? | Not applicable. |
| Who owns the clearing house? Is the clearing house affiliated or separate? | Not applicable. |
| What is the settlement time frame (e.g., T+)? | Not applicable. |
| Is margin required? | Not applicable. |
| Who sets the margin levels? | Not applicable. |
| Is margin calculated on a gross or net basis? | Not applicable. |

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| How frequently are positions marked to market? How often are gains/losses settled? | Not applicable. |
| What kind of financial backing exists for brokers/clearing members/clearing houses in case of failure? | Not applicable. |
| How does the clearing house allocate losses in the event of a clearing member default? | Not applicable. |
| Can customer positions be transferred in the event of default? | Not applicable. |
| Are emergency rules in place? If so, please specify. | Not applicable. |
| General | |
| Are exchange rules available on the Internet? | Not applicable. |
| E-mail contact information. | Not applicable. |
| Web site address(es). | Not applicable. |